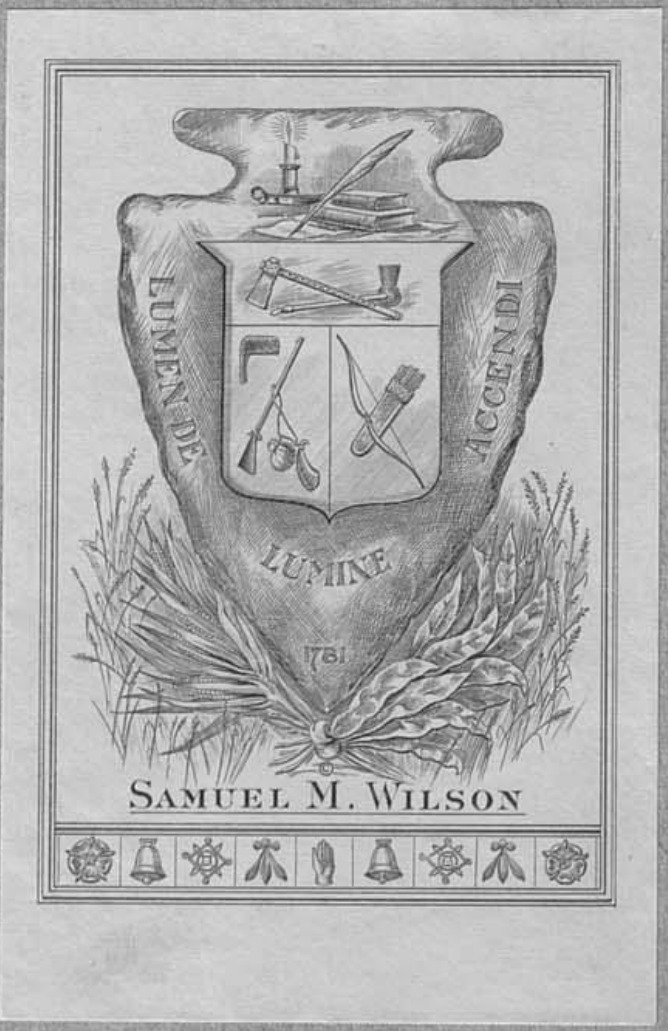
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The Tory Proprietors of Kentucky Lands

By

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THE TORY PROPRIETORS OF KENTUCKY LANDS.

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From the days of its earliest settlement down through the American Revolution, the Kentucky country was the scene of proprietary projects or hostile activities by Loyalists, several of whom were first connected with Fort Pitt and afterward with the British post at Detroit. It is needless to say that the hostile activities included more or less successful efforts at instigating Indian depredations against the Kentucky pioneers, and contemplated almost from the beginning Tory leadership for tribal contingents of sufficient size and bloodthirstiness to accomplish effectually the single but protracted task of freeing a favorite hunting ground from occupation by alien intruders and settlers, as viewed by the Indians, or of ridding the back country of dangerous rebels, as viewed by the resentless partisans of the crown. Such Tory leadership, we shall see further on, was to be provided, with serious consequences and even graver dangers for the colonists, after the flight of a group of Loyalist conspirators from Fort Pitt to Detroit in the spring of 1778.

The proprietary projects of these Loyalists began in July, 1773, with the survey of four thousand acres of land directly opposite to the Falls of the Ohio by Captain Thomas Bullitt for Dr. John Connolly, a resident near Fort Pitt, who had previously been a surgeon's mate with the British forces, and was now in a fair way to be rewarded for his past — and future — services by this substantial grant. Connolly's object was to found a town at the Falls, and to that end Captain Bullitt laid out a town plat in August. On the tenth of the following December, Governor Dunmore of Virginia issued a patent to Connolly for this land.[1]

[1] *Proceedings, American Antiquarian Society,* Oct., 1909, 5, 29; R. T. Durrett, *Filson Club Publications No. 8: The Centenary of Louisville,* (Louisville, Ky., 1893), 23, 24, 26, 27, 131-133.

In less than two months thereafter Dunmore was employing the recipient of this patent, who was captain commandant of militia on the upper Ohio, to seize Fort Pitt and make it the judicial seat of a new county (West Augusta), in total disregard of Pennsylvania's prior authority in that region. Connolly also carried on aggressions against the neighboring Indians, but did not neglect to join with his colleague, Col. John Campbell, who had also received an extensive grant at the Falls, in advertising lots for sale in their prospective town in April, 1774. In the following June the deputy superintendent of Indian affairs at Fort Pitt, Capt. Alexander McKee, was recompensed for his services in the French and Indian War by a grant of two thousand acres, which was surveyed for him by James Douglas on the south branch of Elkhorn Creek. It was probably about the same time that Simon Girty, who was associated with these men as interpreter to the Six Nations, secured three tracts of three hundred acres each, all in the Kentucky country.[2]

Connolly was soon instructed by his patron to promote the royal interests among the tribesmen. Accordingly, in June, 1775, he met with the Delaware and Mingo chiefs and won them over, if we may credit his *Narrative*. He also asserts that he entered into a secret compact with a group of his friends, most of whom were militia officers and magistrates of West Augusta County, in support of the king, on condition that he should procure authority to raise men. It was in this season also that Connolly and Campbell sent a few men to occupy their lands at the Falls of the Ohio, these persons being instructed by Capt. Bullitt that they were to pay no attention to the title of the Transylvania Company, which had been secured by unauthorized purchase from the Indians. This was in keeping with Governor Dunmore's proclamation of the previous March, declaring the Company's purchase to be contrary to the regulations of the king and

1775-

[2] W. H. Siebert, "The Tories of the Upper Ohio" in *Biennial Report, Archives and History, W. Va.*, 1911-1914, (Charleston, W. Va., 1914), 38; Thwaites and Kellogg, eds., *Frontier Defense on the Upper Ohio*, (Madison, Wis., 1912) 184; *Filson Club Publications No. 8*, 28; R. T. Durrett, *Filson Club Publications No. 12: Bryant's Station* (Louisville, Ky., 1897), 30, n., 111, n.; *Second Report, Bureau of Archives, Ont.* (1904) Pt. II, 1282.

therefore illegal.[3] If Connolly could have carried out his project for this settlement, we may be sure that it would have resulted in the establishment of a Tory outpost at the Falls.[3]

Either before, or perhaps after, the inception of Connolly and Campbell's settlement, Joseph Browster, a Tory of Westmoreland County, Pa., went to Kentucky and, according to his widow's testimony in 1788, purchased a thousand acres of improved land. As he intended to remove to his new estate, he sold his farm in Pennsylvania and, while journeying to the West with his family, was attacked and forced to take refuge at St. Vincent. From this French village, or some other point, Browster attempted to go to Detroit, but was killed *en route* by his Indian guide. His family remained at St. Vincent for three years, and was then conducted to the British post by savages. In support of her testimony, which was given before the British commissioners for the settlement of Loyalist claims, Mrs. Browster produced a brief letter from Dr. Connolly to the effect that at one time he had suffered imprisonment with Joseph Browster, and that the latter had been murdered by Indians while on his way to Detroit.[4]

Late in May, 1775, the House of Delegates of the Transylvania Company held its session at Boonesborough. One of the delegates from Harrodsburg was the Rev. John Lythe of the Anglican church, who conducted a religious service on Sunday, the twenty-seventh, under an ancient elm in the hollow where the House had been assembling. Here, in the presence of Episcopalians and Dissenters alike, the customary prayers for the king and royal family of England were recited for the only time, so far as known, on Kentucky soil. Within the week following the news of the battle of Lexington was brought to Boonesborough and its three sister settlements on the south side of the Kentucky River, evoking at once the undivided sympathy

[3] *Biennial Report, Archives and History, W. Va.*, 1911-1914, 38; G. W. Ranck, *Filson Club Publications No. 16: Boonesborough* (Louisville, Ky., 1901), 180-183; *Proceedings, American Antiquarian Society*, Oct., 1909, 15.

[4] *Second Report, Bureau of Archives, Ont.* (1904), Pt. I, 477.

of the colonists, including their frontier missionary, for the revolutionists.[5]

When, therefore, one of Dunmore's emissaries, Dr. John F. D. Smyth, rode into Boonesborough on June 8, he found conditions anything but favorable to imparting his true business even to his host, Judge Richard Henderson, the head of the Transylvania Company, but explained that he was gathering material for a book of travels. With more frankness, however, the observant gleaner recorded in his notes that these woodsmen were too proud and insolent "to be styled servants even of His Majesty". During his sojourn of several weeks Smyth visited the Shawnee and other Ohio Indians with the purpose of securing their cooperation with the Loyalists in stamping out rebellion in the West.[6]

About the time that Smyth left the Kentucky Valley, Connolly disbanded the garrison under his command, and went to see Dunmore at Norfolk, Va. The latter sent him on to Boston, Mass., to submit his plans to Gen. Gage, for they involved securing the necessary aid of the Canadian and Indian forces that might be supplied by Detroit, as also of the garrison from Kaskasia on the Illinois, the Ohio tribes, a battalion of Loyalists and some independent companies to be raised by Connolly in western Pennsylvania, and the militia of Augusta County, Va. With these forces at his disposal and a suitable commission, Connolly proposed to destroy Forts Pitt and Fincastle, penetrate Virginia, and form a junction with Dunmore at Alexandria, thereby splitting the colonies in twain and giving the preponderance to the royal cause in the South. After a prolonged stay in Boston, which did not escape the knowledge of Washington's staff in the neighboring town of Cambridge, Connolly returned to Virginia, and received a warrant as lieutenant colonel commandant from Dunmore. Then, in company with Smyth and Allen Cameron, he started, November 13, on his overland journey for Detroit. Surely, his plans were prospering.[7]

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[5] *Filson Club Publications No. 16,* 28, 30, 31.

[6] *Ibid.,* 32, 33.

[7] *Proceedings, American Antiquarian Society,* Oct., 1909, 17-19; *Biennial Report, Archives and History, W. Va.,* 1911-1914, 29, 40.

Since his departure from Fort Pitt, however, the success which Connolly believed himself to have attained in his conference with the Mingo and Delaware chiefs had been counteracted for a time by the mission in July, 1775, of Dr. Thomas Walker and Capt. James Woods to the Shawnee, Wyandot, Ottawa, Delaware and Mingo towns. At the instance of the West Augusta committee of correspondence, these tribes, together with the Senecas, were invited to meet with the commissioners of Congress at Pittsburgh in the autumn. There a treaty of peace and neutrality was signed between the Western Indians and the new American nation.[8] Thus, a considerable part of the forces on which Connolly counted for the execution of his comprehensive plan was eliminated for an indefinite period.

This was despite the efforts of the British commandant at Detroit who, on learning that the council was to be held, hastened to summon the savages from Upper Sandusky and its vicinity in order to urge them not to attend, but join him until the subjugation of the colonists by the king's army and navy when, he added, we shall "have their plantations to ourselves". Not content with this direct appeal to a limited number of tribesmen, the Detroit officer had the chief of the Wyandots dispatch a delegation of his own braves, together with a few Ottawas, to the Shawnee villages of Chief Cornstalk to persuade them that the proposed treaty would not protect them from an early attack by the whites. Cornstalk reported this incident to the commissioners of Congress at Pittsburgh, as well as its sequel, namely, that several of the visiting Indians, accompanied by two young Shawnee guides, proceeded thence to the Kentucky River. It became known later that this spying party included the son of "Capt." Pluggy, the Mohawk leader of a band of miscreants living on the upper Olentangy, and that they fired on three persons near Boonesborough, December 23, 1775.[9]

By this time greater misfortune had overtaken Connolly and his companions: they were now in jail at Frederick Town, having been arrested near Hager's Town more than a month before.

[8] Biennial Report, Archives and History, W. Va., 1911-1914, 40.

[9] Thwaites and Kellogg, eds., *Revolution on the Upper Ohio* (Madison, Wis.), 100, 102, 143; *Filson Club Publications No. 16*, 45, 46.

The local committee of safety had learned from an American officer, just returned from Cambridge, Mass., of the conspirator's recent visit to Boston, and had secured conclusive evidence against the trio through the discovery of a copy of Connolly's "proposals". Thereupon they had reported their capture to Congress, and were ordered to send their prisoners under guard to Philadelphia. To the great chagrin of the committee, however, Smyth escaped on the night before the date set for the departure of the culprits, which was December 29. He carried with him letters from Connolly to his wife and Capt. McKee at Fort Pitt, Capt. Lord at Kaskasia, and Capt. Lernoult at Detroit. The letters to the two latter besought them to "push down the Mississippi and join Lord Dunmore." But on January 12, 1776, Smyth was retaken by a party from Fort Pitt, after he had succeeded in crossing the Allegheny Mountains in the depth of winter. As he still had the letters on his person, he was conducted to Philadelphia, where he shared the imprisonment of his two colleagues.[10]

The failure of these Tory leaders to reach Detroit did not prevent the authorities there from seeking to undermine the neutrality of the Western tribes. In May, 1776, information was being circulated as far away as in southeastern Virginia that the Wyandot, Ottawa, and other Indians had recently been at Detroit, where they had received presents; and the militia officer imparting this news said that they would probably be troublesome during the summer. In fact, their depredations in Kentucky continued throughout the year, becoming so ominous as to cause the abandonment of McClelland's Station, the last fort north of the Kentucky River, at the end of December.[11]

The petitions which the inhabitants of "Transylvania" presented to the Virginia Convention in May and June, 1776, show that the people wanted steps taken both "to prevent the inroads of Savages" and also to keep their outlying district from becom-

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[10] *Proceedings, American Antiquarian Society*, Oct., 1909, 19-22; *Biennial Report, Archives and History, W. Va.*, 1911-1914, 40, 41.

[11] *Revolution on the Upper Ohio*, 175, n. 6, 177, n. 11, 187, 188; J. G. M. Ramsay, *Annals of Tennessee*, (Philadelphia, 1853), 148, 149; *Filson Club Publications No. 16*, 49-52, 54.

ing the refuge of Loyalists. They could see no hope of protection in a proprietary government that was without an organized militia. They regarded as illegal the king's proclamation excluding settlers from the region they had entered, and denounced the ministerial policy which would delay the erection of "West Fincastle" into a new county of Virginia. The observance of such restrictions, the petitioners pointed out, would bring it to pass that "this immense and fertile country would afford a safe asylum to those whose principles are inimical to American liberty." These arguments produced the desired result, Kentucky County being one of three new divisions created by act of December 7, 1776." [12]

Whatever advantages a separate county organization may have secured to the inhabitants of the new district, certain conditions were developing to the northward from which no such device could shield their remote part of the frontier. One of these conditions was the increase in size and daring of the warbands, as at Boonesborough, April 24, 1777, when "the big fort" was actually attacked for the first time, by a party numbering from fifty to one hundred warriors, and again early in July, when it was besieged for two days and nights by two hundred Indians. Another of the menacing conditions was the fact that Lieut. Governor Henry Hamilton at Detroit received definite permission from Governor-General Haldimand at Quebec in June, 1777, to employ savages against the Americans. A third condition was fully revealed late in September when the Shawnee chief, Cornstalk, told Capt. Matthew Arbuckle at Fort Randolph (Point Pleasant) of the warlike disposition of the Indians, including his own nation, adding that although he was himself opposed to joining the war on the side of the British, he could only "run with the stream". This admission convinced Arbuckle that all of the Shawnees had gone over to the enemy, and he therefore detained Cornstalk and two of his braves as hostages. Shortly after the chief's son had come to visit his father, a member of the garrison was murdered by lurking Indians, where-

[12] J. R. Robertson, ed., *Filson Club Publications No. 27* (Louisville, Ky., 1914), 38, 39; Hening's *Statutes*, IX, 257; *Filson Club Publications No. 16*, 48, 54.

upon the soldiers became infuriated and avenged themselves upon the four Shawnees. Governor Patrick Henry fancied this unjustifiable deed to be "the work of Tories", who had taken this method to embroil the backwoodsmen in strife with the Indians and so keep them from going to the aid of Washington.[13]

Governor Henry was correct at least in this, that the murder of the hostages would bring on hostilities with their tribe. Indeed, such hostilities had resulted nearly a fortnight before the Governor had expressed his opinion in the surrender of Daniel Boone and his camp of salt-makers at the Lower Blue Licks on February 7 and 8, 1778. But for us the interesting thing about the expedition which gained this success is that it was undertaken on the initiative of the Detroit authorities, who sent two French Canadians to engage four or five score of the Shawnees in an attempt to seize Boonesborough. Several of Boone's contemporaries were so dissatisfied with his action in persuading the other salt-makers to surrender peaceably after his own capture, that they charged him later with being a Loyalist and a traitor. The Shawnees took their captives to Little Chillicothe on the Little Miami, and then part of the tribe started for Detroit, March 10, in company with eleven of the whites, including Boone. At the Northern post the famous Kentuckian was presented with a horse and trappings by Hamilton, while his companions were sold for ranson-money. It was on this horse that Boone escaped from his captors in the following June, bringing intelligence of a new expedition which the Shawnees had in contemplation.[14]

This proposed foray was to be directed against Boonesborough, in order to avenge the tribe for an unsuccessful attack upon Donnelly's Fort on the Greenbriar River, from which one

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[13] *Revolution on the Upper Ohio*, 236, 237, n. 80, 242, n. 85, 247; *Biennial Report, Archives and History, W. Va., 1911-1914*, 41, 42; *Frontier Defense on the Upper Ohio*, 149, 150, 157-163, 169, 175-177, 205, 207, 208; R. G. Thwaites, *Withers's Chronicles of Border Warfare* (Cincinnati, 1917), 173, n., 209, 211-214, 236, 266; *Filson Club Publications No. 16*, 56-61.

[14] *Frontier Defense on the Upper Ohio*, 205, 207, 208, 252, n. 7, 283, n. 42; *Withers' Chronicles of Border Warfare, 265-267; Filson Club Publications No. 16*, 64-69, 104, 105.

of their war parties had returned on June 15. It was not until after Clark's capture of Vincennes, however, that steps were taken to carry out the expedition. But again, as in the previous February, the movement was organized by French Canadians under orders from Detroit. These Canadians, who belonged to the Detroit militia, were led by Lieut. Antoine De Quindre, and assisted Chief Black Fish in assembling a force of almost four hundred and fifty Indians, mostly Shawnees, whom they supplied with a stock of ammunition and the English and French flags that were intended so to impress the inhabitants of Boonesborough that they would capitulate at once. On arriving at the fort, September 7, 1778, a messenger was sent forward to announce that Governor Hamilton had entrusted letters to his representatives with the Indian army for Capt. Boone, and to ask a parley for the consideration of their contents. This was granted and on the following evening, after Boone had told Black Fish that the garrison would defend themselves to the last man, De Quindre reopened negotiations and succeeded in getting the principal men of the fort to sign a treaty on the tenth, renouncing allegiance to the United States and renewing their fealty to the king, on condition that the Indians would withdraw at once. This was evidently all in accordance with the plan of Hamilton, who believed from what Boone had told him at Detroit that the Kentucky settlers were already in a starving and nearly naked condition, and were withot the prospect of relief from Congress. "Their dilemma", he wrote to Sir Guy Carleton, April 25, 1778, "will probably induce them to trust to the savages, who have shown so much humanity to their prisoners, and come to this place before winter." But the Lieut. Governor's plan to convert the garrison into Loyalists, and thus open the way for their reception at Detroit was, according to the evidence, doomed to failure from the start. The fort had but two score effective defenders, and Boone had used stratagem in the hope of ridding the place of a foe eleven times as numerous. After the signing of the treaty, however, the redmen tried to detain the whites during the ceremony of handshaking; but the latter tore themselves away and ran back into their stronghold, which was then assailed repeatedly, though unsuccessfully. As a final means of

capturing the place, the Indians dug a tunnel from the bank of the Kentucky River to a distance of about forty yards, or two-thirds of the way from the stream. But their scheme was frustrated by successive rainstorms, which caused sections of the mine to cave in. Altogether the garrison had withstood investment for nine days and nights, when the Indian army broke into detachments for the purpose of pillaging and ravaging about other stations.[15]

Shortly after this siege Boone was tried by court martial at Logan's Station on the charge of making treasonable attempts to aid the British in favoring the peace treaty at Boonesborough, in surrendering the salt-makers on the Lower Blue Licks, and on still another count. His immediate accuser was Col. Richard Callaway; but he cleared himself by explaining that these acts were deceptions and stratagems dictated by military necessity, and practiced for the advantage of the settlers. That his conduct was not deemed reprehensible by his superior officers is shown by his promotion a little later to the rank of major.[16]

If the year 1778 was marked by Lieut. Governor Hamilton's policy of detailing French-Canadians to organize and accompany Indian expeditions against Kentucky, the next two years were characterized by an astonishing increase in the population of that country and the employment of border Loyalists, who held large landed interests south of the Ohio, to lead the war bands thither. This change in leadership was made possible by the flight of Capt. Alexander McKee, Matthew Elliott, Simon Girty, and several others from Fort Pitt on the night of March 28, 1778, the fugitives arriving at Detroit about two months later. Becoming deeply involved in a Tory plot at the former post, their machinations had been discovered and suppressed in the previous summer. At Detroit, Girty was appointed interpreter in the secret service, Elliott, captain in the Indian department, and McKee, deputy agent for Indian affairs. In the following August, they were joined by James Girty, who came in

[15] *Filson Club Publications No. 16*, 68-104; *Withers's Chronicles of Border Warfare*, 268-270; *Frontier Defense on the Upper Ohio*, 283, 284; *Filson Club Publications No. 27*, 44, 45.

[16] *Filson Club Publications No. 16*, 104, 105.

from the Shawnee village of Old Chillicothe, and was made interpreter to the Shawnees. Nine months later George Girty appeared, bringing a party of deserters from Kaskasia, and was likewise appointed an interpreter.[17] For the next seventeen months these Loyalists were permitted to direct their poorly aided efforts to restoring the king's authority in the Pittsburgh region. Then, having failed in that quarter, they turned their attention to the Kentucky domain, which was now beginning to attract thousands of immigrants from the older settlements, including those of the upper Ohio.

Contemporary mention of this westward migration throws considerable light on its magnitude and character. Early in August, 1779, Col. Daniel Brodhead wrote from Fort Pitt that the inhabitants were so intent on removing to Kentucky that there would be few volunteers. In March, 1780, Col. Richard Campbell of the Ninth Virginia Regiment recommended to Washington the removal of his men from Pittsburgh, because they were constantly deserting to share in the settlement of the Kentucky lands. In the following May, Brodhead informed the Rev. John Heckewelder that by fall "the settlements of Kentucky" would be able to turn out fifteen thousand men, and that the villainous Shawnees and their allies would soon find troublesome neighbors in that quarter. Despite this exodus, Col. Brodhead was convinced by disclosures of new Tory activities in his neighborhood that there was still "a great number of disaffected inhabitants on this side of the mountain who wish for nothing more than a fair opportunity to submit to the British government." Still, one must believe that not a few of these Loyalists, who were unable to keep their plans hidden, took advantage of the westward migration to go to Kentucky. That such was the case is indicated by a visitor to that region, who wrote to Col. George Morgan late in 1780: "Should the English go there and offer them protection from the Indians, the greatest part will join".[18]

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[17] *Biennial Report, Archives and History, W. Va.*, 1911-1914, 42-45, 47; Kellogg, ed., *Frontier Retreat on the Upper Ohio*, (*Madison, Wis., 1917*), 299, n. 1.

[18] *Frontier Retreat on the Upper Ohio*, 21, 22, 41, 149, 163, 164, 168, 176, 277.

It was early in this period of movement to the new country, namely, in the latter part of May, 1779, that John Bowman, lieutenant of Kentucky County, undertook an offensive at the head of more than two hundred and fifty volunteers against the Shawnee town of Little Chillicothe on the Little Miami. After beginning the attack the whites, who were partly from Bowman's district and partly from the upper valleys, were thrown into general disorder by the false report that Simon Girty and one hundred Shawnees were hastening from Piqua to the relief of the place. However, they soon recovered themselves, defeated the enemy which numbered less than half their own strngth, burned most of the village and crops, and carried off a great quantity of plunder.[19]

The first expedition actually conducted by the Girtys against Kentucky, so far as recorded, took place in the following autumn, when James and George advanced with about one hundred and seventy Wyandot warriors from Upper Sandusky down the valley of the Little Miami to the spot where Cincinnati now stands. Here, on October 4, they discovered Col. David Rogers' flotilla of five boats ascending the Ohio with a large store of goods and ammunition from St. Louis. Some fifty of Rogers' men landed at once to attack the foe, but were quickly driven back to their barges, most of which the Indians succeeded in boarding. Only one, which was defended by thirteen soldiers, managed to escape. About forty of the whites were killed, while a rich supply of booty and a few prisoners fell into the hands of the victors.[20] Thenceforth, the savages became very troublesome and small skirmishes became so common, according to Col. George Rogers Clark, as to receive little notice.

Tory leadership had proved so successful in this first instance in Kentucky annals, that it is not surprising to find it being again employed in the following summer. Lieut. Governor Hamilton had surrendered to Clark at Vincennes, February 25, 1780, and been taken to Virginia as a prisoner. Hence, Major A. S. De Peyster had been transferred from the British

[19] *Withers' Chronicles of Border Warfare*, 271-273.

[20] C. W. Butterfield, *History of the Girtys* (Cincinnati, 1893), 113; *Frontier Retreat on the Upper Ohio*, 17, 79-94, 105, 123.

post at Michilimacinac to Detroit. He was eager to regain what his predecessor had lost, and to that end dispatched a body of troops and Indians to the Illinois, while seeking to engage the attention of Clark and the Kentuckians by an expedition to the Falls of the Ohio (Louisville). He placed Capt. Henry Bird, a Virginia Loyalist, in command of the latter enterprise, with the three Girtys as aides. On leaving Detroit, Capt. Bird's force consisted of one hundred and fifty Canadians and Loyalists and one hundred tribesmen from the Upper Lakes, carrying two field-pieces; but they were joined on the Miami by Capt. McKee and six hundred Indians. When the savages learned on the march that Clark was in command at the Falls, they refused to try a battle with him, and insisted on being led against the forts up the Licking. Although mutinous, they were wise, for the sound of their cannon was alone sufficient to secure the immediate surrender of Ruddle's Station, with its three hundred inmates, on June 22. After killing all the cattle at this place, the Indians and their allies marched five miles farther to Martin's Station where, with equal ease, they gained fifty more prisoners. A famine now ensued and terminated an invasion that might, except for the self-imposed loss of the animals at Ruddle's, have uprooted the Kentucky settlements. As it was, Bird and his white contingent, together with Capt. Isaac Ruddle's company as prisoners, were constrained to return to their boats; by means of which they descended the Licking to the Ohio, and thence passed up the Great Miami on their way to Detroit. Here Ruddle and his men remained in captivity until November 3, 1782. The Indians, with their share of the prisoners, crossed the Ohio River, and proceeded in small parties to their several villages.[21]

The readiness with which the occupants of the two stations on the Licking surrendered is explicable by reason of the superior strength of the attacking force, supported, as it was, by the two cannon which Capt. Bird had brought from Detroit; but there were those of the time who attributed the double disaster to

[21] *Frontier Retreat on the Upper Ohio*, 192; *Withers' Chronicles of Border Warfare*, 254, n. 285, 286, 294-299; *Filson Club Publications No. 16*, 118, 119; *ibid. No. 27*, 168.

widespread disaffection among the settlers, many of whom refused to volunteer for offensive operations, choosing rather to remove "into the interior" than take part in the common defense against the Loyalists and Indians.[22]

Meantime, in May, 1779, the General Assembly of Virginia passed an act concerning escheats and forfeitures, by which the already sequestered estates of Britons and Loyalists were to be condemned by escheators and sold. A year later it was represented to the Assembly that there were crtain lands within the county of Kentucky, "formerly belonging to British subjects, not yet sold under the Law of Escheats and Forfeitures, which might at a future day be a valuable fund for the maintenance and education of youth." In accordance with this suggestion, therefore, the Assembly now enacted a law vesting eight thousand acres of these forfeited lands in a board of thirteen trustees "as a free donation from the Commonwealth for the purpose of a public school or Seminary of Learning," to be erected in Kentucky County "as soon as the circumstances of the county and the state of the funds" would admit. This grant comprised, as it happened, the two thousand acres of Alexander McKee on the south branch of Elkhorn Creek in the newly created county of Fayette, besides two other surveys of three thousand acres each, one near Lexington formerly belonging to Henry Collins, and the other, called the Military Survey, at the mouth of Harrod's Creek in Jefferson County, lately the property of Robert McKenzie.[23]

Thus far Dr. John Connolly's survey of two thousand acres opposite to the Falls of the Ohio had escaped forfeiture. But on May 1, 1780, the inhabitants of this locality, who had recently laid out a town in half-acre lots, built houses and occupied them, or in some cases had sold out to newcomers, petitioned the Assembly at Richmond, Va., to pass an act establishing their town as planned and validating their titles, on the score that intending settlers were declining to buy lots because the land "above the

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[22] *Frontier Retreat on the Upper Ohio*, 22, 186, 187, 265, 266.

[23] Hening's *Statutes, IX*, 377; *X*, 67; H. J. Eckenrode, *The Revolution in Virginia*, 187, 188; Robert Peter and Joanna Peter, *Filson Club Publications No. 11*, (Louisville, Ky., 1896), 18, 19; *ibid., No. 27*, 69, 70.

mouth of a gutt that makes into the river opposite the falls" had been surveyed and patented for Connolly, and would be subject to escheat and sale. The petitioners argued that the new town would be of great advantage to the people of Kentucky, and that its plan was conducive to its growth into a populous and commercial center, which would afford security "from any hostile intentions of the Indians." In compliance with this petition, the General Assembly passed an act, July 1, 1780, establishing the town of Louisville, designating ten men to serve as its trustees, clearing doubtful titles by vesting them with one thousand acres of Connolly's survey, and authorizing the sale of lots at auction, on condition that if they brought thirty dollars the money should be paid into the treasury of the Commonwealth.[24]

The same day on which this act was passed, but quite independently of its adoption, an escheating jury met at Lexington, Ky., and rendered a verdict of forfeiture against Connolly, who was still under restraint at Philadelphia as a prisoner of Congress, but was to be permitted to go to the British at New York within a few days, in anticipation of his exchange later in the year. Curiously enough, Daniel Boone, notwithstanding the charge previously made against him of trying to aid the crown, was a member of this jury, which decided that Connolly was the owner of the land at the Falls on July 4, 1776, and that he had of his own free will joined the subjects of the English king by April 19, 1775, the date fixed in the law of escheats and forfeitures.[25]

That there were Loyalists nearer home than Connolly, McKee, and the others, whose Kentucky estates had now been confiscated, was revealed by the expedition against the Shawnees made during the first week of August, 1780, by Cols. Clark, Slaughter, and Logan, with nearly a thousand men, in retaliation for the descent on Ruddle's and Martin's stations. They found Chillicothe largely deserted and still burning, and their move-

[24] R. T. Durrett, *Filson Club Publications No. 8: The Centenary of Louisville* (Louisville, Ky., 1893) 50-52, 149-154; *No. 27*, 53-55; Hening's *Statutes*.

[25] *Filson Club Publications No. 8*, 54-56; *Biennial Report, Archives and History, W. Va.*, 1911-1914, 41.

ments thoroughly understood by the foe. Nevertheless, in the fighting that took place the Kentuckians acquitted themselves with such daring that James Girty, who was in command of three hundred warriors, retired with his contingent rather than encounter "fools and madmen." In one of the huts the invaders discovered a Frenchman who admitted that a deserter from Col. Logan's division had come in from the mouth of the Licking and joined the Indians, whom he warned of their danger.[26]

Although smaller or larger bands of savages were "striking somewhere in Kentucy" during the autumn of 1780 and the open season of 1781, it was not until September of the latter year that they were again led by a Loyalist. About the middle of the month just named Capt. McKee, who was now accompanied by Chief Brant, head of the Six Nations, ally of Maj. John Butler's Tory rangers at Fort Niagara, and wily leader of formidable scalping parties on the New York frontier, appeared at Boone's Station (where Shelbyville now stands) at the head of strong contingents of Hurons and Miamis, and there defeated Col. John Floyd with a company of men from his own and other stations on Beargrass Creek, imposing a loss of half this force. Brant's presence is explained by the fact that he had been sent early in April, with seventeen of his tribesmen on a mission to McKee and the Western Indians by Col. Guy Johnson, the Loyalist superintendent of the Indian department at Niagara. It was McKee's wish to conclude the present campaign with an assault on Boonesborough; but his unruly warriors chose to return at once to their villages.[27]

Whatever successes the Indians won by themselves during this period, and they were generally minor ones, it is worth remarking that thus far the savages had usually been signally victorious when Loyalists served as their captains. That the Kentucky settlements would have fared far worse, perhaps suffering general annihilation, if the savages had been amenable to ordinary military discipline, is a view in support of which much may

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[26] *Withers' Chronicles of Border Warfare*, 305-308; *Frontier Defense on the Upper Ohio*, 234, 235, n. 98.

[27] *Filson Club Publications No. 8*, 57-59; *ibid., No. 12*, 84; *Frontier Retreat on the Upper Ohio*, 374, 375.

be said. Certainly, in June, 1782, the Indians threw away their final chance of spreading desolation among the pioneers south of the Ohio. At that time Simon and George Girty, Matthew Elliott, and Alexander McKee met Capt. William Caldwell and Capt. Andrew Bradt with sixty Tory rangers from Detroit and eleven hundred redmen of eight different nations, including the Delawares, at Wakitamiki (now Zanesfield, Logan County, O.). This host first advanced to the main camp of the Shawnees at Old Chillicothe, in expectation of destroying an invading force under Col. George Rogers Clark. It was, according to McKee, the greatest body of Indians that had been assembled in this quarter since the beginning of the war. At any rate, it seems to have outnumbered slightly the whole force of fighting men in Kentucky at this time, which has been estimated at about one thousand.[28]

Disappointed in their plan of overwhelming Clark, who was nowhere in the neighborhood, all the tribesmen except a few hundreds (Caldwell, the commanding officer of the expedition, says less than three hundred) scattered to their villages. The others were induced by Simon Girty to accompany the Tory rangers in a descent upon Bryant's Station. After crossing the Ohio a decoy detachment was sent to threaten Hoy's Station, a few miles south of Boonesborough, and was pursued by Capt. John Holder with men from his own and other stations. Before sunset on August 15, a messenger brought to Bryant's the news of Holder's defeat at the Upper Blue Licks; but while the little garrison there were still preparing to go to the defense of Hoy's Station, they discovered that they were facing a siege themselves, and despatched couriers to the other settlements in their own behalf. In this way they were soon able to increase their strength to one hundred and thirty-five men, in spite of the partly successful efforts of the besiegers to shoot or drive away those coming in to the relief of the place. After the Indians had destroyed the crops, killed the livestock, and burned several cabins of the settlement, Simon Girty, who is said to

[28] *Filson Club Publications No. 12*, 87-90, 134-156; E. P. Durrett, "Girty the White Indian" in *Magazine of American History*, March 1886; Butterfield, *History of the Girtys*, 193, 194, 198, 200, 205, 208.

have come provided with a proclamation guaranteeing pardon and protection to all who would swear allegiance to the crown, offered the inmates safety, if they would capitulate. But he was refused and decamped with his force on the night of the sixteenth, taking the road back to the Blue Licks. He states that nearly one hundred warriors left him at this time. One hundred and eighty-two Kentuckians followed in pursuit of the invaders and on August 19 crossed the Licking River, only to fall into an ambuscade on the height of the open ridge in front The Tories and Indians were concealed in the wooded ravines nearby. Of the advancing party, most of whom had dismounted, about forty were killed at the first volley. Some thirty more were overtaken by the savages, now astride the Kentuckians' horses, and laid low with tomahawk and hunting knife. The majority of those who escaped owed their preservation to Maj. Benjamin Netherland, who dismounted on reaching the west bank of the Licking and ordered his fellow-horsemen to turn and fire on the pursuing Indians. The latter were thus driven to cover long enough to enable many of the fugitives to regain the opposite bank and disappear in the woods and thickets beyond, whence they fled back to the stations. On the next day the Indians, laden with the plunder of the battlefield, crossed the Ohio with their Tory leaders and allies. The former proceeded to their camps, while the latter went back to Wakitamiki. It was from there on August 26 that Caldwell wrote to the Detroit authorities his exaggerated report of the success gained under his command. McKee's report was directed to Major de Peyster from the "Shawnee country" two days later. Like Caldwell's letter, it multiplied the number of Kentuckians killed and captured by two, and probably Matthew Elliott, who carried this report to its destination, was instructed to confirm the doubled figures.[29]

By this time Sir Guy Carleton, who had recently been appointed commander-in-chief of the British forces in America, issued his manifesto ordering a cessation of Indian depredations, which reached the West just after the return of Caldwell's exultant expedition from the Blue Licks. The instructions sent from

[29] *Filson Club Publications No. 12*, 91-123, 157-209, 211-215.

Detroit by De Peyster to McKee and Bradt directed them thereafter "not to make any incursions into the enemy's country.". These instructions, however, did not arrive in time to prevent a raid against Fort Henry at Wheeling by Bradt, with his Loyalists and a considerable body of Indians; nor did they stop the Kentuckians from demanding a retaliatory invasion of the Indian country under the command of Col. George Rogers Clark.

With a thousand and fifty mounted riflemen, Clark set out from the mouth of the Licking on November 4, 1782, and six days later he surprised the settlement of the Miamis, from which the savages fled in consternation, while their town and their winter stores were utterly destroyed. Despite the endeavors of McKee, the Indians could not be persuaded to encounter the frontiersmen who, "after . . . . finding all attempts to bring them to a general action fruitless," in the words of Clark himself, retired on account of the lateness of the season. To this blow, as well as to Carleton's manifesto, is to be attributed the termination of formidable incursions of Kentucky by the Indians. Occasional forays from the northwest and outrages by Ohio savages continued, however, as long as the Northern posts remained in the hands of the British, that is, until 1796.[30]

The tale of Connolly's interest in Kentucky affairs has not yet been concluded. Duly exchanged in October, 1780, while he was in New York, Connolly was soon appointed a lieutenant colonel in the Queen's Rangers and sailed with that Loyalist regiment to Yorktown in December. Shortly after his arrival in the South he was placel in command of the Tories of Virginia and North Carolina on the peninsula formed by the James River and Chesapeake Bay. In September, 1781, he was again taken prisoner, and three months later was sent to Philadelphia, where he was kept in jail until March. He was then paroled and allowed to go to New York, on condition of his taking passage for England, which he did at once. After remaining in London for some time, occupying himself meanwhile with efforts to secure compensation for his losses and services as a Loyalist and in devising plans for the recovery of America to the British

[30] *Publications of the Filson Club No. 6*, 50, 56; *ibid., No. 8*, 59, 62; *ibid., No. 16*, 130-132.

crown, he recrossed the Atlantic and was in Quebec in the winter of 1787-88. Thence he proceeded to Detroit, where he met his relative, Alexander McKee, who was now deputy superintendent general of the Indian Department, and his old Pittsburgh acquaintance, Matthew Elliott, who was serving as superintendent of Indian affairs. He must have come in contact also with the Girtys, who were still in and about Detroit and whom he had known at Fort Pitt.[31]

Connolly soon reported that he had learned from a man sent by him to Pittsburgh that the people of Kentucky wished to declare their independence of the United States Government. Whether this was true or not, it appears that he had received advances from General Samuel Holden Parsons, who was concerned in the establishment of a new colony on the Ohio, relative to an arrangement with Great Britain for keeping the Mississippi River open to the western trade. These advances evidently presented to Connolly's mind the prospect of the overthrow of Spanish power in Louisiana and the establishment of a British protectorate over Kentucky and the lower country, if proper steps were taken. At any rate, the possibilities of a negotiation were too alluring to be resisted, and Connolly obtained permission to visit Kentucky "in order to draw out propositions from men of character." Setting out from Detroit, he travelled through the woods to the mouth of the Big Miami River and thence by boat down the Ohio to Louisville, where he arrived on October 25, 1788. He came ostensibly to look after his confiscated estate, but in reality to discover the attitude of leading Kentuckians towards the proposal, which he made in the name of the Canadian governor-general, Lord Dorchester (formerly Sir Guy Carleton), to assist the westerners with a military and naval force in securing control of the Mississippi and New Orleans. Honors, rewards, and military rank in the British army were to be bestowed upon such influential inhabitants of Kentucky as would raise a force, to be paid, armed, and equipped by Dorchester, who would also send from five thousand to ten

[31] *Biennial Report, Archives and History, W. Va.*, 1911-1914, 41; *Proceedings, American Antiquarian Society*, Oct., 1909, (Worcester, Mass.) 32, 36.

thousand men by way of the Miami and Wabash rivers to join the Kentucky contingent in moving upon New Orleans, where a British fleet would cooperate with the forces from the northward.[32]

Before the end of October Connolly submitted these plans to Col. Thomas Marshall and Judge George Muter at a joint interview in Lexington, being introduced by Col. John Campbell who, according to Marshall, had previously communicated the proposition Connolly was about to make. In a letter to Washington of February 12, 1789, Thomas Marshall wrote that he told Dorchester's emissary of the people's prejudice against the British, "not only from circumstances attending the late war, but from a persuasion that the Indians were at this time stimulated by them against us; and that so long as those savages continued to commit such horrid cruelties on our defenseless frontiers, and were received as friends and allies by the British at Detroit, it would be impossible for them to be convinced of Lord Dorchester's offers, let his profession be ever so strong.....". Connolly visited Gen. James Wilkinson in Lexington on November 8, and was told not only that "the British were greatly disliked in Kentucky," but also that Wilkinson was afraid that the people would kill him if he did not escape at once. Connolly asked for an escort, which was provided, and he recrossed the Ohio on his way back to Detroit, November 20. The only other prominent Kentuckian to whom Connolly divulged his mission was Gen. Charles Scott, but when and where this interview took place is unknown to the present writer.[33]

That Connolly remained in and about Detroit for some months after his return from the South is shown by the fact that he entered a petition for land east of the Detroit River, along with the other refugees from Fort Pitt and the many Loyalists then preparing to settle in that region. A schedule

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[32] *Proceedings, American Antiquarian Society,* Oct., 1909, 32-35; *Filson Club Publications No. 6,* 182-184.

[33] *Proceedings, American Antiquarian Society,* Oct., 1909, 33-35; *Letters to Washington,* IV, 250; Butler's *Kentucky,* 184; *Filson Club Publications No. 6,* 183, n.

of these petitions, which were received by the Land Board for the District of Hesse, Ont., gives that of Connolly under date of July 2, 1790, and locates the tract for which a grant is asked on Lake Erie in the Fish Creek Division. Alexander McKee was a member of this land board, whose records show that Matthew Elliott, George and James Girty, Capt. Bird, Capt. Caldwell, and McKee himself were locating lands in the same neighborhood, while Simon Girty was taking up a tract of one thousand acres on the north side of the River La Tranche or Thames. George and James Girty appear to have applied for additional grants near their brother's location, but are recorded on December 20, 1793, as having "left the country." Elliott's grant in Malden Township amounted to three thousand acres.[34]

Only about a fortnight before Lieut. Col. Connolly came to Lexington for his illuminating interview with Judge Muter and Col. Marshall, the trustees of the escheated lands of McKee, Collins, and McKenzie had met, appointed a professor, and selected a committee "to rent convenient houses in or near the town of Lexington" for the purpose of the seminary which they were now ready to open (October 15, 1788). By a law of 1783 the number of trustees had been increased to twenty-five, their powers had been enlarged, and the endowment of the proposed school had been supplemented by a provision that the institution designated by the act the "Transylvania Seminary", should receive all the escheated lands in the District of Kentucky, not to exceed twenty thousand acres, which should be exempt from taxation. The trustees, president, and professors were to take the oath of allegiance to the government; but both officers and students were to be free from military duty. On June 6, 1789, the opening of the school was advertised in the *Kentucky Gazette*.[35]

The circulation of the news of this event secured some pupils; but it may also have stimulated a claimant into action, for in the following November William McKenzie petitioned the General Assembly of Virginia for compensation for the three

[34] *Third Report, Bureau of Archives, Ont.*, 1905 (Toronto, 1906), 1-20, 29, 30, 248, 272, 281.

[35] *Filson Club Publications No. 11*, 20-22, 38-41.

thousand acres of the Military Survey on the north side of Harrod's Creek, which was a part of the seminary's original endowment, on the score that the petitioner was the nearest relative of the former owner, Robert McKenzie. According to the endorsement on the back of the petition the matter was referred to the courts of justice for decision; but whether or not a suit was ever brought does not appear. The dispossessed and now deceased owner of this land had served as a captain in the Virginia regiment commanded by Washington in the French war, but had later obtained a commission in the British regular army, being attached to the 43d. Regiment of foot when he was wounded at Bunker Hill.[36]

In 1792 certain citizens of Lexington, who constituted the Transylvania Land Company, offered to donate a site of three acres in the town for the permanent buildings of the seminary, and on April 8 of the following year the trustees adopted a resolution accepting this site, on which they proceeded to erect a small two-story brick house.[37]

A number of Presbyterians had been interested from the beginning in the project of founding the seminary; but some of them were so opposed to the election of Mr. Harry Toulmin as its president, February 5, 1794, that in the following December they secured from the legislature of Kentucky a charter for a new school, which they named the "Kentucky Academy." After four years of rivalry between these neighboring seminaries their respective boards presented a joint petition to the legislature, asking for the union of the two. Accordingly, a charter was granted which united the institutions under the name of the "Transylvania University." This charter went into effect, January 1, 1779, thus creating the first seat of higher education west of the Alleghany Mountains. During the next seventeen years the university derived most of its income from the rents of its landed endowment, totaling now about twenty thousand acres. Then, in 1816, the trustees sold these lands and applied the proceeds, with those from other sources, not only to the

[36] *Filson Club Publications No. 27,* 137, 138; Sabine, *American Loyalists during the Revolution,* II, 41.

[37] *Filson Club Publications No. 11,* 45-47.

erection of a new college edifice and the establishment of the medical and law colleges, but also to the payment of the current expenses of the institution.[38]

The final stage in the history of Transylvania University was not reached until the close of the Civil War. By act of the legislature, approved February 28, 1865, the Agricultural and Mechanical College of Kentucky and Transylvania University were consolidated with Kentucky University. The buildings of the last named institution had been erected at Harrodsburg on lands bought for the purpose by the citizens of Mercer County. At the close of the war these buildings were destroyed by fire, and the proposal to remove the institution to Lexington and unite it with Transylvania, already under consideration for some time, was now renewed and executed by the curators of Kentucky University. The removal was accomplished forthwith, and the merged institutions opened their first session October 2, 1865, under the name of Kentucky University.[39]

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[38] *Filson Club Publications No. 11,* 49-52, 64, 66-71, 86, 87, 102.
[39] *Ibid.,* 175-177.

KENTUCKY'S STRUGGLE WITH ITS LOYALIST PROPRIETORS

Contrary to the traditional view, Virginia had among its people a large proportion of tories or loyalists in the revolutionary days, besides many who behaved like loyalists when the British forces were at hand. This has been fully demonstrated by Mr. John A. George in his dissertation for the master's degree submitted to the faculty of Richmond college in June, 1913, and published in part in the *Richmond college historical papers* in June, 1916. The conclusions of Mr. George are fully confirmed by Professor H. J. Eckenrode of the same institution in his volume, *The revolution in Virginia*, also published in 1916.

As Kentucky formed a part of the old dominion in those stirring times, this paper becomes supplementary to the valuable treatises just mentioned. Lord Dunmore, as is well known, was the leader of the loyalists in eastern Virginia until he and hundreds of his followers sought refuge aboard the king's ships at Norfolk on December 14, 1775. For several years before that disastrous episode his lordship had been issuing patents for more or less extensive tracts of land in the county of West Fincastle, including Kentucky, to numerous persons, among whom may easily be identified at least a few loyalists. One of these was Dr. John Connolly, who lived near Fort Pitt, where he seems to have owned a "patrimonial estate." According to his own account he sold this estate and bought land in Virginia. At any rate, he acquired 4,000 acres of land opposite the falls of the Ohio in December, 1773, and entered upon a project with Colonel John Campbell, who obtained an adjoining tract, to found a town at the falls. In fact, the plat for this town—the future city of Louisville—had been surveyed in the previous August by Captain Thomas Bullitt, and lots were first advertised for sale by the proprietors in the following April.[1]

[1] Clarence M. Burton, "John Connolly, a tory of the revolution," in *Proceedings of the American antiquarian society*, new series, 20:71 ff.; Reuben T. Durrett, *The centenary of Louisville* (*Filson club publications* number 8—Louisville, 1893), 23-27, 131, 133.

Other loyalists who acquired land in Kentucky about the same time were Captain Alexander McKee, the deputy superintendent of Indian affairs at Fort Pitt; Simon Girty, the interpreter to the Six nations at the same post; and Joseph Browster of Westmoreland county, Pennsylvania. McKee secured his grant of 2,000 acres on the south branch of Elkhorn creek in June, 1774; Girty became the possessor of three tracts of 300 acres each, according to his own sworn statement, but he does not mention their locations; and Browster purchased 1,000 acres of improved land on a visit to Kentucky before the revolution, but his widow, who tells of the transaction, fails to state where the purchase lay. She relates, however, that in removing to the west her family was attacked and forced to take refuge at St. Vincent, and that her husband was soon after killed by an Indian guide who was conducting him to Detroit, a fact referred to in a testimonial which she had from Dr. Connolly, who had known Browster and had on one occasion suffered imprisonment with him.[2]

Besides these few loyalists who held land in Kentucky but never lived there, the names are known of but two others who appear in the revolutionary annals of the state. One of these was the Reverend John Lythe, the Anglican missionary at Harrodsburg, who served as a member of the house of delegates of the Transylvania company and read the customary prayers for the king and the royal family of England on Sunday, May 27, 1775, at the end of the session of the delegates. It must be added that Lythe's loyalism was promptly dissipated within a week by the arrival of the news of the battle of Lexington. The other loyalist was Dr. John F. D. Smythe, who came on horseback to Boonesborough a few days later as an emissary of Dunmore, though he did not divulge this to his host, Judge Richard Henderson, the head of the Transylvania company. To him he explained only that he was collecting material for a book

[2] Durrett, *The centenary of Louisville*, 28; Reuben T. Durrett, *Bryant's station and the memorial proceedings held on its site under the auspices of the Lexington chapter, D. A. R., August the 18th, 1896, in honor of its heroic mothers and daughters* (*Filson club publications* number 12 — Louisville, 1897), 30, note; 111, note; George W. Ranck, *Boonesborough. Its founding, pioneer struggles, Indian experiences, Transylvania days, and revolutionary annals* (*Filson club publications* number 16 — Louisville, 1901), 180-183; *Report of the bureau of archives for the province of Ontario* (Toronto, 1904-1914), number 2, part 2, p. 1282; part 1, p. 477.

of travels. Thus he gained the opportunity during the several weeks of his sojourn to go among the Shawnee and other Ohio Indians for the purpose of securing their coöperation with the loyalists in suppressing rebellion in the west. In his notes Smythe recorded his conviction that the Kentucky woodsmen were too proud and insolent "to be styled servants even of His Majesty."[3]

The mission of Dr. Smythe to Boonesborough and the region north of the Ohio river was ominous for the future. Naturally, the savages resented the occupation of their favorite hunting grounds by the white men and, although a treaty of peace and neutrality was signed between the western tribes and the commissioners of congress at Pittsburgh in the autumn of 1775, "Captain" Pluggy, the Mohawk leader of a band of miscreants living on the upper Olentangy, accompanied by several braves and two Shawnee guides, appeared on the Kentucky river and fired upon three persons near Boonesborough, December 23, 1775.[4]

In the following May and June the inhabitants of "Transylvania" presented petitions to the Virginia convention asking that steps be taken "to prevent the inroads of Savages" and to erect West Fincastle into a new county, despite the king's proclamation excluding settlers therefrom. The expressed fear of the petitioners was that if left under royal control the region in question might "afford a safe asylum to those whose principles are inimical to American liberty." In answer to these petitions three new counties were created in December, 1776, one of these being Kentucky county.[5]

Meantime, some of the Ohio Indians had been committing depredations in Kentucky to such an extent that McClelland's station, the last fort north of the Kentucky river, was aban-

[3] Ranck, *Boonesborough*, 28, 31-33.

[4] *Biennial report of the department of archives and history of the state of West Virginia*, 1911-1914 (Charleston, 1914), 40; *The revolution on the upper Ohio, 1775-1777*, edited by Reuben G. Thwaites and Louise P. Kellogg (Madison, 1908), 100, 102, 143; Ranck, *Boonesborough*, 45, 46.

[5] *Petitions of the early inhabitants of Kentucky to the general assembly of Virginia, 1769 to 1792*, edited by James R. Robertson (*Filson club publications* number 27—Louisville, 1914), 38, 39; William W. Hening, *Statutes at large, being a collection of all the laws of Virginia, 1619 to 1792* (Richmond, 1819-1823), 9: 257; Ranck, *Boonesborough*, 48, 54.

doned in the same month in which the new counties were erected. That the red men had been incited to these hostilities was not doubted by many, for the report had gained wide currency in May that the Wyandot, Ottawa, and other Indians had recently been at Detroit, where they had received presents from the British commandant, Lieutenant Governor Henry Hamilton. With the opening of the spring of 1777 the attacking war bands only increased in size and daring. Late in April Boonesborough, "the big fort," which had been left unassailed hitherto, was attacked by a party of fifty or more warriors, and early in July it was besieged during two days and nights by 200 Indians. Conditions were surely not improved by the murder late in September of the Shawnee chief, Cornstalk, and three of his tribesmen at Fort Randolph (Point Pleasant) by members of the garrison in hasty revenge for the death of a comrade stricken outside the post by the stealthy shot of lurking savages. Hamilton at Detroit was not slow in taking advantage of the outraged feelings of the Shawnee tribe. Before the winter had passed he sent two French Canadians to engage eighty or more of the Shawnee in another attempt to seize Boonesborough. They readily consented, and on their way southward, February 7, 1778, had the good fortune to capture Daniel Boone, who had a camp of salt-makers near by at the lower Blue licks. The tribesmen easily secured the rest of the campers through the intervention of Boone, who saw the folly of resistance and persuaded his men to surrender.[6]

The Shawnee at once gave up their expedition against Boonesborough, returned with their captives to their villages at Little Chillicothe, and on March 10 started with eleven of their pris-

[6] *The revolution on the upper Ohio, 1775-1777* (Thwaites and Kellogg, eds.), 175, note 6; 177, note 11; 187, 188, 236, 242, 247; James G. M. Ramsey, *The annals of Tennessee, to the end of the eighteenth century: comprising its settlement, as the Watauga association, from 1769 to 1777; a part of North-Carolina, from 1777 to 1784; the state of Franklin, from 1784 to 1788; a part of North-Carolina, from 1788 to 1790; the territory of the U. States, south of the Ohio, from 1790 to 1796; the state of Tennessee, from 1796 to 1800* . . . (Philadelphia, 1853), 148 ff.; Ranck, *Boonesborough*, 49-52, 54, 56-61; Alexander S. Withers, *Chronicles of border warfare; or, a history of the settlement by the whites of northwestern Virginia, and of the Indian wars and massacres in that section of the state; with reflections, anecdotes.* . . . edited by Reuben G. Thwaites (Cincinnati, 1903), 173, 209, 211-214, 236, 266; *Frontier defense on the upper Ohio, 1777-1778*, edited by Reuben G. Thwaites and Louise P. Kellogg (Madison, 1912), 149, *passim*.

oners, including Boone, for Detroit. Here the famous Kentuckian was well received by Hamilton, to whom he told a pitiful tale of the starving and nearly naked condition of the settlers south of the Ohio, who, he added, were without the prospect of relief from congress. The commandant offered a large price for Boone and, failing to effect the purchase, sought his favor by presenting him with a horse and trappings.

On April 28, not long after the departure of Boone and the Indians, Hamilton wrote to Sir Guy Carleton in regard to the Kentuckians: "Their dilemma will probably induce them to trust to the savages, who have shown so much humanity to their prisoners, and come to this place before winter." In the following June Boone escaped from his captors upon the horse he had received from Hamilton. At the end of the same summer the British commandant undertook to win over the inhabitants of Boonesborough for the king or, if necessary, to capture them. He therefore dispatched Lieutenant Antoine de Quindre and other French Canadians, with a supply of ammunition and the English and French flags, to assist Chief Black Fish in assembling a force of over four hundred Indians, mostly Shawnee, to proceed to the big fort. On arriving there, September 7, a messenger advanced to ask a parley over letters which he had brought from Governor Hamilton to Captain Boone. The negotiations lasted three days, on the last of which the principal men of the fort signed a treaty renouncing their allegiance to the United States and renewing their fealty to the king, on condition that the Indians, who outnumbered the garrison eleven to one, would withdraw immediately. But instead, the treacherous red men attempted to seize and detain the whites, though without success. After repeated assaults on the stronghold the Indians tunneled from the bank of the Kentucky river to within twenty yards of the fort, but successive rains stopped their operations and filled their mine with sunken earth. Having failed in their nine days' siege, the Shawnee army broke into detachments, which had to content themselves with ravaging about other stations. Such was the dismal outcome of Hamilton's plan to convert the inhabitants of Boonesborough into loyalists preparatory to their reception at Detroit.[7]

[7] Ranck, *Boonesborough*, 68-104; *Petitions of the early inhabitants of Kentucky to the general assembly of Virginia, 1776 to 1792* (Robertson, ed.), 44, 45; Withers,

Captain Boone, indeed, did not escape the open accusation of being a tory and a traitor. Colonel Richard Callaway, and probably others, charged him with having sought to aid the British by favoring the peace treaty at Boonesborough and having caused the surrender of the salt-makers at the lower Blue licks. Boone was accordingly tried by court-martial at Logan's station, but maintained that these acts were stratagems dictated by military necessity and was acquitted. He was further vindicated a little later by being promoted to the rank of major.[8]

The years 1779 and 1780 witnessed a remarkable emigration from the communities on the upper Ohio and to the eastward into Kentucky. In May of the latter year one observer of this movement, Colonel Daniel Brodhead at Pittsburgh, estimated that the Kentucky settlements would be able to turn out 15,000 men and ventured the opinion that the villainous Shawnee and their allies would soon find troublesome neighbors in that quarter. It is not to be supposed that all these newcomers were patriots, especially as tory plots were being disclosed and suppressed from time to time in the regions from which they came. Late in 1780 one visitor to Kentucky went so far as to say in a letter to Colonel George Morgan: "Should the English go there and offer them protection from the Indians, the greatest part will join." It was not to Kentucky, however, but to Detroit that Captain McKee and Simon Girty, together with several of their fellow loyalists, fled from Fort Pitt on the night of March 28, 1778. They passed through the intervening Indian country and arrived at their destination about two months later. They thus escaped the penalties which their discovered plotting entailed and, being taken into the Indian department, they supplanted the French Canadians as leaders of loyalist and Indian war parties against the frontier. For the next seventeen months they carried on their depredations in the region they had recently left and then turned their attention to that into which the tide of settlers was now pouring.[9]

Chronicles of border warfare (Thwaites, ed.), 268-270; *Frontier defense on the upper Ohio, 1777-1778* (Thwaites and Kellogg, eds.), 283, 284.

[8] Ranck, *Boonesborough*, 104, 105.

[9] *Frontier retreat on the upper Ohio, 1779-1781*, edited by Louise P. Kellogg (*Wisconsin historical collections*, volume 24 — Madison, 1917), 21, 22, 41, 149, 163, 164,

The first report that Simon Girty was with the Indians on the Kentucky border gained credence in the latter part of May, when John Bowman, lieutenant of Kentucky county, led 250 volunteers against the Shawnee town of Little Chillicothe on the Little Miami river. The rumor that Girty was approaching at the head of 100 Shawnee threw Bowman's men into general disorder for a brief time, but they recovered themselves, defeated the enemy, and burned most of the village and crops. In the following autumn Simon Girty's brothers, James and George, advanced with about 170 Wyandot warriors down the Little Miami to the spot where Cincinnati now stands and there, on October 4, engaged Colonel David Rogers' flotilla of five boats, which was on its way from St. Louis up the Ohio with a store of goods and ammunition. The Indians killed some forty of the whites, took a few prisoners, and carried off much booty. Thereafter small skirmishes with the Indians appear to have become more common on the border than ever.[10]

The capture of Hamilton by Colonel George Rogers Clark at Vincennes in February, 1779, and the appointment of Major A. S. de Peyster as the former's successor at Detroit did not change the policy of employing loyalists to lead the expeditions against Kentucky. In the early summer of that year De Peyster sent from his post a force of 150 tories and Canadians with two cannon and 100 tribesmen from the upper lakes under the command of Captain Henry Bird, a Virginian, with the three Girtys as aides. On the Miami they were joined by Captain McKee and 600 more Indians. These combined forces were to proceed against Clark, who was now stationed at the falls of the Ohio. The Indians, however, refused to go and confront the victor of Hamilton, choosing rather to attack the forts up the Licking. On June 22, Ruddle's station, with its 300 inmates, surrendered at the sound of the enemy's fieldpieces. Fifty more prisoners

168, 176, 209, note 1; 277; Wilbur H. Siebert, "The tory proprietors of Kentucky lands," in *Ohio archaeological and historical quarterly*, 28: 48-71.

[10] Withers, *Chronicles of border warfare* (Thwaites, ed.), 271-273; Consul W. Butterfield, *History of the Girtys; being a concise account of the Girty brothers—Thomas, Simon, James and George, and of their half-brother John Turner—also of the part taken by them in Lord Dunmore's war, in the western border war of the revolution, and in the Indian war of 1790-95; with a recital of the principal events in the west during these wars . . .* (Cincinnati, 1890), 113; *Frontier retreat on the upper Ohio, 1779-1781* (Kellogg, ed.), 17, 79-94, 105, 123.

were secured at Martin's station five miles farther on. Famine now ensued and drove the invaders home. Captain Bird took with his contingent Captain Isaac Ruddle and his company, all of whom remained in captivity at Detroit until November 3, 1782. The Indians, with their share of the prisoners, scattered to their several villages. There may be some justice in the criticism made at the time that widespread disaffection among the settlers was responsible for the surrender of the two stations. At any rate, many of the pioneers are said to have moved into the interior rather than volunteer for offensive operations against the Indians and the tories.[11]

During the first week of August, 1780, Colonels Clark, Slaughter, and Logan led forth their respective divisions, which together numbered about one thousand men, to take vengeance on the Shawnee for the descent upon the two Licking stations. They found Little Chillicothe partly deserted and still burning, the Indians having been forewarned by a deserter from Logan's division. James Girty and 300 warriors made more than a show of defense, but could not withstand the determined fighting of the borderers and retreated.[12]

We may pass over the numerous raids into Kentucky during the next twelvemonth or more. One only, about the middle of September, 1781, was conducted by a loyalist, namely, Captain McKee, who was accompanied by Chief Brant, head of the Six nations. With a large following of Hurons and Miami these experienced fighters appeared at Boone's station and there defeated Colonel John Floyd and a company of men from the stations on Bear Grass creek.[13]

Under tory leadership the savages had thus far won an almost unbroken series of successes over the Kentuckians. If they had obeyed the orders of their white captains, they might no doubt have gained more sweeping victories, but again and

[11] Withers, *Chronicles of border warfare* (Thwaites, ed.), 254, note; 285, 286, 294-299; Ranck, *Boonesborough*, 118, 119; *Petitions of the early inhabitants of Kentucky to the general assembly of Virginia, 1769 to 1792*, p. 168; *Frontier retreat on the upper Ohio, 1779-1781* (Kellogg, ed.), 22, 186, 187, 192, 265, 266.

[12] Withers, *Chronicles of border warfare* (Thwaites, ed.), 305-308; *Frontier retreat on the upper Ohio, 1779-1781* (Kellogg, ed.), 374, 375.

[13] Durrett, *The centenary of Louisville*, 57-59; Durrett, *Bryant's station and the memorial proceedings held on its site*, 84; *Frontier retreat on the upper Ohio, 1779-1781* (Kellogg, ed.), 374, 375.

again they had willfully turned back when their campaign was but half finished. At length, in June, 1782, they threw away their final chance of spreading desolation among the settlements south of the Ohio. At that time 1,100 Indians of eight different nations were assembled at Wakitamiki—now Zanesfield, Logan county, Ohio—under the command of Captain William Caldwell and were there joined by Captain Andrew Bradt and sixty loyalist rangers from Detroit, Captain McKee, Simon and George Girty, and Matthew Elliott of the Indian department at the northern post. This host is said to have outnumbered the whole force of fighting men in Kentucky at the time. Its size is doubtless explained by the fact that it was to be employed in destroying an invading force led by George Rogers Clark. When intelligence was brought in that Clark's army was nowhere about, three-fourths of the tribesmen returned to their towns and villages. The other fourth and the loyalist rangers crossed the Ohio river with Simon Girty, defeated Captain John Holder and his men at the upper Blue licks on August 15, and then laid siege to Bryant's station. While the Indians occupied themselves with burning several cabins, killing cattle, and destroying crops, Girty proclaimed pardon and protection to all inmates of the fort who would swear allegiance to the king, on condition that they would capitulate. Unlike the garrison of Boonesborough, which had been offered similar terms nearly four years before, the men at Bryant's flatly refused the offer, and Girty with his tories and Indians took the trail back to the Blue licks on the night of August 16. At this time, according to Girty, nearly 100 warriors left him. On August 19 about 180 Kentuckians crossed the Licking river in pursuit of the invaders, who were now lying in ambush in the wooded ravines surrounding the open ridge in front. Most of the advancing party had dismounted and were ascending the ridge on foot, when they received a volley which killed perhaps forty of them. The savages then threw themselves upon the Kentuckians' animals and succeeded in cutting down thirty more victims and capturing others. The rest of the borderers fled back across the river, those in the lead being halted by Major Benjamin Netherland long enough to turn and fire on the pursuing Indians, who were thus driven to cover for a brief interval, while the fugitives es-

caped into the woods and so to their several stations. On the next day the loyalists and Indians crossed the Ohio, the latter going on to their camps and the former to Wakitamiki. A few days later Caldwell and McKee sent reports to Detroit in which the number of Kentuckians killed and captured was doubled. In reply came an order from De Peyster, in conformity with the recent manifesto of the commander in chief of the British forces, Sir Guy Carleton, to make no more incursions into the enemy's country. Nevertheless, during the next fourteen years, or as long as the northern posts remained in British hands, Kentucky suffered from occasional forays and outrages at the hands of the savages. The sequel of the massacre at the Blue licks was enacted in the early days of November, 1782, when George Rogers Clark with 1,050 men destroyed the town and the winter stores of the Miami, while the Indians took to their heels despite Captain McKee's efforts to persuade them to stay and fight.[14]

It has been seen above that the Kentuckians suffered the cruelties of border warfare in greater degree than before, after the leadership of the tribes to the northward passed to those loyalists who owned lands in "Transylvania." In May, 1779, the Virginia assembly enacted the law of escheats and forfeitures, under which such estates were liable to confiscation and sale for the profit of the state. This policy might easily work out in such a way as to yield no benefit, if it did not do actual injustice, to some of the inhabitants of Kentucky. Representative Kentuckians, however, were alive to their local interests and, through their skillful advocacy of those interests, were able to gain immediate or prospective advantages at the expense of the loyalist proprietors, whose destruction in battle would have been a more welcome recompense.

It was not until a year after the passage of the act of escheats and forfeitures that the inhabitants of Kentucky took measures to secure to themselves the estates in question. The land at the falls of the Ohio surveyed and patented for Dr. Connolly, who had been Lord Dunmore's chief ally at Pittsburgh and a prisoner in the hands of the Americans from November, 1775, until

[14] Durrett, *Bryant's station and the memorial proceedings held on its site*, 87-90, 91-123, 134-209, 211-215; George W. Ranck, "Girty, the white Indian; a study in early western history," in *Magazine of American history*, 15:256-277; Butterfield, *History of the Girtys*, 193, 194, 198, 200, 205, 208.

his exchange in October, 1780, was brought to the attention of the Virginia assembly by a petition on May 1 of the latter year. This petition came from the settlers at the falls, who desired an act establishing their town as planned by them and validating the titles to their lots, which would otherwise be liable to confiscation and sale under the act of escheats and forfeitures passed in May, 1779. Accordingly, the assembly enacted a law one year later, vesting 1,000 acres of Connolly's survey in a board of trustees for the town of Louisville, and authorizing the sale of lots at auction. Curiously enough, an escheating jury, of which Daniel Boone was a member, met at Lexington on the same day and rendered a verdict of forfeiture against Connolly for joining the subjects of the king of his own free will.[15]

In December, 1780, Lieutenant Colonel Connolly had sailed from New York with the Queen's rangers, a well-known tory corps, for Yorktown, and soon after had been placed in command of the loyalists of Virginia and North Carolina on the peninsula formed by the James river and the Chesapeake bay. In September, 1781, he had again been taken prisoner and had been sent to Philadelphia three months later. In the following March he had been paroled and sent to New York, on condition that he would depart for England. He appears to have spent the next five years in Great Britain, but by 1788 he was in Detroit, having returned by way of Quebec. He had not yet given up hope of recovering the west for the English crown, and was therefore ready to believe the tale that the people of Kentucky wished to free themselves from the United States government. Under the pretext that he had come to look after his confiscated estate, Connolly appeared at Louisville on October 25, 1788. He revealed the real object of his visit a day or two later in a joint interview with Colonel Thomas Marshall and Judge George Muter. He told these two men in substance that the Canadian governor-general, Lord Dorchester, formerly Sir Guy Carleton, was ready to aid the westerners by arming and paying any force they might raise for the purpose of wresting the control of the Mississippi and of New Orleans from the Spaniards, that he would send from 5,000 to 10,000 men to join them, and that he

[15] Durrett, *The centenary of Louisville*, 50-56, 149-154; *Petitions of the early inhabitants of Kentucky to the general assembly of Virginia, 1769 to 1792* (Robertson, ed.), 53-55; Hening, *Statutes at large*, 10: 293-295.

would dispatch a fleet to coöperate with this land force in the conquest of New Orleans. Colonel Marshall states that he informed Connolly that as long as the savages continued to commit cruelties on the defenseless frontier of Kentucky and to be "received as friends and allies by the British at Detroit," it would be impossible to convince the people of the good intentions of Lord Dorchester. From General James Wilkinson, with whom Connolly conversed on November 8, the latter learned not only that "the British were greatly disliked in Kentucky," but also that he might be killed if his mission were discovered. The emissary from Detroit now begged for an escort, which was provided, and he recrossed the Ohio river, November 20, on his return journey.[16]

The clearing of the titles of the early settlers of Louisville was accomplished at the expense of Dr. Connolly, as already noted. This was a simple act of justice to those who had bought their lots in good faith from an original proprietor. At almost the same moment that these purchasers were presenting their petition for relief to the Virginia assembly — a petition in which they stated with clearness and force the commercial and other benefits to be secured by the establishment of their town — the Reverend John Todd of Virginia and his nephew, Colonel John Todd of Kentucky, persuaded the assembly to set aside other loyalist estates for the cause of public education. It was in May, 1780, that the assembly passed the "act to vest certain escheated lands in the County of Kentucke in trustees for a Publick School." The lands thus applied were Captain Alexander McKee's 2,000 acres on the south branch of Elkhorn creek, Henry Collins' 3,000 acres near Lexington, and Robert McKenzie's 3,000 acres, called the military survey, at the mouth of Harrod's creek. McKenzie was an officer of the Forty-third

[16] Burton, "John Connolly, a tory of the revolution," in *Proceedings of the American antiquarian society*, new series, 20: 71 ff.; Siebert, "The tory proprietors of Kentucky lands," in *Ohio archaeological and historical quarterly*, 28:48-71; John M. Brown, *The political beginnings of Kentucky* (*Filson club publications* number 6 —Louisville, 1889), 182-184; Mann Butler, *A history of the commonwealth of Kentucky, from its exploration and settlement by the whites, to the close of the northwestern campaign, in 1813; with an introduction exhibiting the settlement of western Virginia . . . in 1736, to the treaty of Camp Charlotte . . . in 1774* (Cincinnati and Louisville, 1836), 184.

regiment of foot in the British army when he was wounded at Bunker hill.[17]

Even at the end of the revolution not all the confiscated estates in Kentucky had been disposed of and, although the school had not yet been started, there was still opportunity to increase its endowment from this source. Colonel Caleb Wallace, a Kentuckian in the assembly, saw the opportunity, and in 1783 secured the passage of an act granting all escheated lands in the district of Kentucky "not to exceed twenty thousand acres" to the proposed school, thus adding 12,000 acres to the earlier grant of 8,000 acres. The new act conferred by regular charter upon an enlarged board of trustees "all the powers and privileges that are now enjoyed by the visitors or governors of any college or university within the State." The school when established was to bear the name "Transylvania seminary" and, evidently in view of the fact that Indian hostilities had not ceased, both teachers and students were to be exempt from militia duties. Another reminder of the subsiding struggle is to be found in the presence on the board of trustees of Colonel George Rogers Clark.[18]

Something more than the "guarantee of permanency" furnished by the land grants was needed before Transylvania seminary could be opened to students. The trustees found it necessary, therefore, to appoint a committee to solicit funds, books, and apparatus, and they also received one-sixth of all surveyor's fees collected in the Kentucky district. They were thus enabled to employ a master and open the seminary in a private house near Danville, February 1, 1785. Several years later the trustees decided to remove the school to Lexington, where it first received students June 1, 1789. Here in Lexington the institution was to find its abiding place, erect buildings to meet its growing needs, develop new departments, combine with other institutions, graduate thousands of students, become almost dormant during the civil war, and, after discontinuing its several

[17] *Transylvania college bulletin*, 40: 16, 17; Robert and Johanna Peter, *Transylvania university. Its origin, rise, decline, and fall* (*Filson club publications* number 11 — Louisville, 1896), 20-22, 38-41.

[18] *Transylvania college bulletin*, 40: 17-20, 22-25; *Kentucky Gazette*, June 6, 1789, April 26, 1790; Peter, *Transylvania university*, 49-52, 64, 66-71, 175-177.

departments, survive as Transylvania college. Thus the beginnings of the city of Louisville and of the famous old college at Lexington, "the oldest permanent institution of learning west of the Alleghenies," may be ascribed to the struggle of Kentucky with its loyalist proprietors. The lands confiscated from these proprietors by the Virginia assembly were in both cases, chiefly through the efforts of Kentuckians, turned to excellent and enduring uses.

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