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The official Letters of Norborne Berkeley, Baron de Botetourt, Governor of Virginia, 1768-1770

Dianne Jean -- editors edition McGaan
College of William & Mary - Arts & Sciences

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Botetourt, Norborne Berkeley

THE OFFICIAL LETTERS OF NORBORNE BERKELEY,
BARON DE BOTETOURT, GOVERNOR OF VIRGINIA,
1768-1770

A Thesis
Presented to
The Faculty of the Department of History
The College of William and Mary in Virginia

In Partial Fulfillment
Of the Requirements for the Degree of
Master of Arts

By
Dianne J. McGaan

1971

APPROVAL SHEET

This thesis is submitted in partial fulfillment of
the requirements for the degree of
Master of Arts

Dianne J. McGaan
Author

Approved, May 1971

George H. Reese
George H. Reese, Ph.D.

J. E. Selby
John E. Selby, Ph.D.

Thad W. Tate
Thad W. Tate, Ph.D.

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EDITORIAL METHOD

In setting up these transcription rules I have benefited greatly from examination of the excellent methods used by Leonard W. Labaree in his editing of Benjamin Franklin, Papers, 14 vols. to date (New Haven, Conn.: Yale University Press, 1959--).

1. Copies of Lord Botetourt's letters and enclosures may be found in three places in the British Public Record Office, all of which are in the Colonial Office papers, class C.O.5. In C.O.5/1332-1333 are found his letters and enclosures to the Board of Trade; in C.O.5/1346-1348 those to the secretary of state; and in C.O.5/1372-1375 are found the secretary of state's entry books of in- and out-letters. In all cases where it was possible to decide, what seemed to be the first penning of a letter and its enclosures were chosen for transcription here.
2. Salutations and complimentary closings of Botetourt's own letters have been omitted; in enclosure letters written by other persons they have been retained.
3. The place and date of the letters have been uniformly set in the upper right-hand corner of each letter.
4. The spelling of all words, including proper names, has been retained as written.

5. All capitalization has been retained as written, except that every sentence begins with a capital. When it is uncertain whether the writer meant to use a capital or a small letter (as, for example, with such letters as "y" and "o"), doubtful initial letters are given as like capitals or lower-case letters or as judged by eye.
6. Contractions and abbreviations are in general expanded unless the form is retained in modern usage. Superscript letters have been lowered and the words expanded if necessary. The thorn has always been rendered as "th."
7. Punctuation follows the original except for:
 - a. Every sentence ends with a period unless it is not clear where a sentence ends; in this case the manuscript form has been retained.
 - b. A dash used in place of a comma, period, or semicolon has been replaced silently by the appropriate punctuation mark.
 - c. Letters or enclosures lacking punctuation almost completely have had it supplied silently.
 - d. When a dash, spacing, or context demand, actual paragraphing not in the original has been supplied.
8. In any case where letters or words in the original are illegible, if not more than three letters of any such words are missing or unreadable and if there is no

doubt what they should be, the letters in question
have been silently supplied.

ABSTRACT

This study consists of the edited letters of Norborne Berkeley, Baron de Botetourt, which he sent to the administration in London while he was governor of Virginia (1768-1770). The transcript was taken from a microfilm of the originals made by the Virginia Colonial Records Project, in the possession of the Colonial Williamsburg Research Department, Williamsburg, Virginia. The British Public Record Office in London holds the originals.

Botetourt was born in London in 1717. In 1768 King George III appointed him to take over the administration of the colony of Virginia. He died in that colony of a fever in 1770. Although his governorship was short, he served in Virginia during an important period--the turbulent years preceding the Revolution. Protestations by the Virginians of the imposition of the Townshend duties had precipitated his appointment as governor. Westward expansion and the opening up of western lands were a continual problem during his administration. An able, well-intentioned man, he did his best to meet the instructions of his king and to halt the drift of Virginia toward independence. He worked very hard to mitigate the differences between colony and mother country and it was his pleasure to restore some semblance of order to Virginia in 1769 by announcing the removal of the Townshend duties by the administration in London. His death removed from office one of the most respected and well-liked governors on the continent.

THE OFFICIAL LETTERS OF NORBORNE BERKELEY, BARON DE
BOTETOURT, GOVERNOR OF VIRGINIA, 1768-1770

INTRODUCTION

When, on 26 October 1768, Norborne Berkeley, Baron de Botetourt, stepped down from the Rippon, the sixty-gun man-of-war that had carried him to Virginia, he was not the first of his family to be sent to that colony as governor. The founder of the Berkeleys was Sir Maurice de Berkeley, born about 1296; this man was the common ancestor both of the Berkeleys of Stoke Gifford (the line that ended with Norborne Berkeley) and of the Berkeleys of Bruton, from whom came the Sir William Berkeley who had governed Virginia from 1642 to 1677 (with a short retirement during the Interregnum). No doubt Berkeley contemplated a less eventful administration than that of his relative--a wish, it turned out, that was not entirely granted.

Of Berkeley's life in England before the king sent him to Virginia little has been written.¹ He was the son of John Symes Berkeley and Elizabeth Norborne, the daughter and co-heiress of Walter Norborne of Calne in Wiltshire. He was born in London in the family's town house within the parish of St. George's, Hanover Square, in December of 1717. There is no traceable record of his formal education. His father died in 1736, and when Berkeley came of age in 1738, he was already the lord of Stoke Gifford and Stapleton. As a result, he was also the owner of the "Berkeley Liberties"

in the northern part of the Kingswood coalfield and thereby a man of property.

In 1741 Berkeley became a member of Parliament for Gloucestershire. He was an officer in the South Gloucestershire militia by 1758 and was made a colonel that year (a rank he held until he left for Virginia); in 1762, on becoming lord lieutenant of the county, he added the colonelcy of the North Gloucestershire militia to his distinctions.

George III's accession to the throne, coming in October of 1760, was an important occasion for those men who became members of the group called the "King's Friends" and who supported Lord Bute. Berkeley's politics must have been close to that of these men; he received several royal appointments in the ensuing months. On 4 December 1760, for example, he was made one of the Lords and Grooms of the Bedchamber. In 1762, as we have seen, he was made lieutenant of the county of Gloucestershire and the cities of Gloucester and Bristol. The lieutenancy carried with it the post of Constable of St. Briavel's Castle and Keeper of the Royal Woods and Deer in the Forest of Dean. In 1767 Berkeley became Constable of the Tower as his ancestor Sir Maurice Berkeley had been for a short time in 1328. In addition to these appointments, local organizations also honored him. In July 1762 he was made an honorary freeman of the city of Bristol and, in the same month, the ancient Society of Merchant Venturers presented him with their freedom.

At this time Berkeley was also petitioning to be made a member of the peerage through his direct descent from the daughter of the last baron of Botetourt, who had married Sir Maurice Berkeley's son Sir Thomas in 1355. This lady was the only member of her family whose direct descendants outlived the Middle Ages; only in her issue could the barony of the Botetourts be held to survive. On 12 December 1763 the Earl of Halifax presented to the House of Lords a petition from Berkeley asking that he be acknowledged heir of the barony through direct descent in the female line. On 10 April 1764 the Committee of Privileges decided that the barony was indeed in abeyance and that Berkeley was one of the co-heirs. On 13 April 1764, according to a writ of summons from the king, Berkeley took his seat in the House of Lords as Baron de Botetourt.² He is reported to have served diligently while a member.

During the summer of 1768 the king and his ministers made a decision that radically affected Botetourt's future. According to the Virginia Gazette (Purdie and Dixon) of 6 October 1768: "Yesterday [July 12] Lord Botetourt kissed his Majesty's hand at St. James's on being appointed Governour of Virginia." On 28 July 1768 Wills Hill, Lord Hillsborough, Secretary of State for the American Department, wrote to the Lords of the Admiralty asking that they grant Botetourt such powers as had been usually granted to the lieutenant and governor general of Virginia and stating that he was "commanded to signify to Your Lordship His Majesty's

further Pleasure, that You should give the Necessary Directions, that a Ship of War of the Line be fitted and prepared to receive His Lordship, and to proceed with Him to his Government, and that when the said Ship has landed his Lordship in his Government, She should remain in those Seas in Case His Majesty's Service shall, in the Opinion of the Commander in Chief of his Majesty's Forces in No. America, make it necessary."³ And on 30 July 1768

Hillsborough wrote to the Lord Chamberlain, requesting that his lordship give the necessary orders for Botetourt's being given the allowance of plate and other customary items received by colonial governors.⁴

There were pressing political reasons that made the appointment of a resident governor seem imperative to the administration in London. When Botetourt's predecessor, Lieutenant Governor Francis Fauquier, had died in Williamsburg on 3 March 1768, the government of the colony had devolved upon John Blair, president of the council. On 11 June 1768 Hillsborough had written the following to Blair:

I observe you express a Wish . . . that You may be continued for some Time in the Station You now hold; and as His Majesty is graciously disposed to gratify You in this Wish, no immediate Appointment will be made of a Successor to Mr Fauquier, His Majesty relying upon your Vigilance & Assiduity in the Execution of the important Trust committed to You, and that You will not omit any Opportunity of acquainting me, in the fullest

& most circumstantial Manner, of every Incident that has occurred, or may be expected to happen, relative to the State of the Colony, & the Administration of its Government.⁵

Blair convened the legislature in Williamsburg on 31 March 1768. On 5 April the journal of the House of Burgesses notes that the House was taking into consideration a letter from the Speaker of the House of Representatives of Massachusetts concerning a recent act of the English Parliament (the Mutiny Act) prohibiting and restraining the governor, council, and House of New York until provision had been made for furnishing the king's troops with all the necessaries required by law; the letter also protested the Townshend Duties and the act creating a board of customs commissioners in Boston.⁶ On 14 April burgess Richard Bland reported out of the committee appointed to consider the acts mentioned in this circular letter a petition to the king, a memorial to the House of Lords, and a remonstrance to the House of Commons.⁷ These documents asked that the colonists again be allowed to enjoy their ancient right of being governed only by such laws (regarding their internal polity and taxation) as were derived from their own consent with the approbation of their king, and protesting the act suspending the legislative power of New York, since, "if the Parliament has a Right to compel the Colonists to furnish a single Article for the Troops sent over to America, by the same Rule of Right they may compel them to furnish Cloaths,

Arms and every other necessary, even the pay of the Officers and Soldiers; a Doctrine replete with every kind of Mischief and utterly subversive of all that is dear and valuable to them."⁸

The next day Bland, who had acquainted the council with these resolutions, reported to the House that the council had agreed to the petition, memorial, and remonstrance and that the council had recommended to the House that it direct its agent in Great Britain to act in conjunction with the agent for the council in soliciting these documents and endeavoring to obtain their ends.⁹ Due in large part to his agreement to transmit these papers to London, Blair's career as chief administrator in the colony would come quickly to an end.

Hillsborough must have received these resolutions, which radically altered Virginia's administrative future, shortly after he wrote Blair continuing him in his position. It was decided in London that soldiers and armed ships were to be sent to Massachusetts to try to persuade that colony to back down from its stand (this may explain why the Rippon was to remain in America at the commander-in-chief's command), while a full governor was to be sent to Virginia to pacify that colony. For nearly three-quarters of a century the chief executive in Virginia had enjoyed the title and authority of lieutenant governor, while a man in England, who often never saw the colony, was in actuality the official governor. It was hoped in London that this new honor would help to restore some measure of the crown's

lost glory in Virginia.

There are several reasons why Botetourt was chosen to be the governor to restore order to the colony. Sir Jeffrey Amherst, full governor of Virginia for several years and a resident of London, when informed of the decision to discontinue the practice of sending a lieutenant governor to Virginia, was unwilling to go to the colony and resigned his commission. This meant, of course, that a new man must be found, and Botetourt's friends and acquaintances among the administration stood him in good stead. His known qualities of diplomacy and charm, generosity and good nature, made Botetourt a good choice for a man who was to use his own personal qualities to try to return the colonists to a true sense of their relationship with the crown. His background as Bristol businessman as well as county landowner, whose associations lay among the trading community of a port particularly known for its transatlantic commerce, could only make the chances for rapport between the governor and the colonists more possible. Furthermore, it has been said that his growing financial troubles (because of the failure of a copper company he was very much involved in) could have made Botetourt himself more receptive to the idea of going to America. The need of a steady income (which he would draw as governor) and of an avenue of relief from his creditors must have made the idea of the colonial appointment most welcome to the baron.

On 29 August 1768, to the accompaniment of an eleven-

gun salute, Botetourt boarded the Rippon. Two days later it sailed. The voyage, with prevalent headwinds against the ship, took the better part of two months. On the way across, while still some twelve hundred miles east of Virginia, the Rippon encountered a homeward-bound ship, and letters were transferred on 9 October. Botetourt wrote Hillsborough: "We are arrived at Latitude 38 and 1/2, are within 400 Leagues of the desired port and all in perfect health. The wind is at present directly in our teeth but as we are in hourly expectation that it will become perfectly fair, almost depend upon being in Virginia in less than a fortnight."¹⁰

On the evening of 25 October the Rippon dropped anchor at Hampton Roads. On the next morning a landing boat from the Rippon set Botetourt down at Little England, the estate of Colonel James Balfour, on the Hampton River, where he was welcomed by a cannon salute. The same day Botetourt set out for Williamsburg and was met about four miles outside the city by the secretary of the colony, Thomas Nelson, and his brother William Nelson. These two men conducted Botetourt to the Capitol, where he found the councillors and all the men of distinction in the colony gathered. He was taken to the council chamber, where his commissions were read, and, having taken his oaths, he swore in the council.¹¹ Afterwards, they all repaired to the Raleigh Tavern for an elegant supper and an evening of entertainment. "The city was handsomely illuminated, and every demonstration of joy

shewn by all ranks, that such short notice would admit of."¹²

The immediate response to Botetourt's arrival was extremely favorable. The following week the Virginia Gazette published an ode from which the temper of his reception may be judged:

Virginia, see, thy Governor appears!
 The peaceful olive on his brow he wears!
 Sound the shrill trumpets, beat the rattling drums:
 From Great Britannia's isle, his Lordship comes.
 Bid echo from the waving woods arise,
 And joyful acclamations reach the skies;
 Let the loud organs join their tuneful roar,
 And bellowing cannons rend the pebbled shore;
 Bid smooth James River catch the cheerful sound,
 And roll it to Virginia's utmost bound;
 While Rappahannock's and York's gliding stream,
 Swift shall convey the sweetly pleasing theme,
 To distant plains, where pond'rous mountains rise,
 Whose cloud cap'd verges meet the bending skies.
 The Lordly Prize, th' Atlantic waves resign,
 And now Virginia, now the Blessing's thine:
 His list'ning ears will to your trusts attend,
 And be your Guardian, Governor and Friend.¹³

In the following days and months Botetourt also received a great number of very flattering welcoming addresses from such varied groups as the council, the House

of Burgesses, the city of Williamsburg, the College of William and Mary, the Virginia merchants and traders, the gentlemen of the bar, the borough of Norfolk, the Quakers, and the Presbyterian clergy.¹⁴ In fact, in a letter written by "Curtius" and printed by the Virginia Gazette (Rind) on 2 February 1769, the author could find so little to complain of in Botetourt's character and administration of affairs, that he turned to this inundation of addresses as a subject for criticism: "it is very well, and even commendable to say all these clever things of a man when we know him, and that he deserves them; but really, I think it is a great deal too much to say of one that we know very little, or nothing at all of: which I take to be the case at present."

Even this weak criticism was rebutted two weeks later by a writer stating that the reasons for the addresses could be found in all the letters the colony had received before Botetourt's arrival and those that the governor had brought with him, every one praising him. Besides, this author continued, his answers to the addresses showed the new governor to be modest and kind.¹⁵

If the Virginians were inclined to be pleased with Botetourt, he also was favorably impressed with what he found in that colony. He wrote to Hillsborough on 1 November 1768: "As my Servants could not keep up with me and the Palace was totally unprovided with every thing, I have been asked every day to dinner by the principal Gentlemen

and am at present upon the very best terms with all. I like their stile exceedingly and augure well of every thing that is to happen. My House is admirable, the ground behind it much broke well planted and water'd by beautifull Hills, and the whole in every respect just as I coud wish."¹⁶

The king had supplied Botetourt with special instructions for handling the political situation he would find in Virginia. His first step was to be to dissolve the assembly if there happened to be one in session when he arrived (there had been no assembly meeting since April 1768). He was then to issue writs for a new assembly to convene when he thought fit.¹⁷ In the same letter of 1 November Botetourt informed Hillsborough that he had complied with this instruction and had issued writs for a new assembly returnable the 15th of December; it was not, however, his or the council's intention that they should then meet, since it was not a convenient season, but they hoped in this way to stop the growing and considerable expense of the elections.¹⁸ On 24 November Botetourt reported that he had by proclamation ordered the assembly to meet on 8 May 1769, since he was assured by the council that that time would be generally approved and was himself of the opinion that it would be the best time for promoting those measures to which his attention had been particularly directed by his instructions from the king.¹⁹

The king had also instructed Botetourt that, before the

meeting of the council and the burgesses in general assembly, he was to make inquiries into the character, views, and connections of these men, and to converse with the council and the principal men of the colony, separately and personally, and to try to convince them that the principles they seemed to have adopted were erroneous and dangerous and that they should return to a sense of their duty founded upon just ideas of the English constitution. He also was to point out the fatal consequences that might ensue if they continued to espouse unjustifiable and unconstitutional distinctions that could do nothing but weaken the authority and lessen the influence of the British empire and which would deprive Virginia and the whole empire of the benefits of this wise constitution. In these conversations Botetourt was also to be allowed to reflect on the unwarrantable conduct of the last assembly in presuming to consider laws that in no way related to the colony and to intimate that its invitation to the other colonies by circular letter to concur with them was factious, unjustifiable, and extremely offensive to the king.²⁰

When he was not trying to fulfill these nearly impossible orders in the months before the opening of his first assembly, Botetourt found himself spending most of his time on the Indian boundary problem. The Virginians had manifested territorial aspirations from the colony's earliest days, and the various governors and councils had

granted land patents haphazardly. On 6 November 1747 Sir William Gooch, concerned by this procedure, wrote to the Board of Trade, asking what to do with petitions he was receiving to grant lands on the western side of the Allegheny Mountains.²¹ On 2 September of the next year the board recommended the encouragement of such grants and the garrisoning of a fort to protect the holder of these grants.²² The board hoped that the colonists would cultivate the Indians and also check the advancement of the French, thereby protecting the older colonies.

On 13 December 1748 George II sent instructions to Gooch to carry out these recommendations and to grant two hundred thousand acres of land to the Ohio Company (a group of Virginians and London merchants).²³ And in 1752 and 1753 two acts of the Virginia assembly that exempted any such settlers from payment of all public, county, and parish levies for several years further encouraged the colonists to take up western lands.²⁴

The Virginians were soon settled as far west as the Holston River headwaters. The French and Indian War, however, interrupted this western advance and sent the frontiersmen on a large-scale retreat eastward, back to the Greenbrier River and other safer locations. One of the last grants to be made in the west was that to John Chiswell in 1760 for one thousand acres along the New River (where he later operated a lead mine that became a landmark frequently

referred to in discussions of the Virginia-Indian boundary line). In June of that same year the Board of Trade wrote to the governor of Virginia, instructing him to make no further grants of land upon the Ohio or any of its tributaries.²⁵

By the king's proclamation of 1763 any further purchases or settlements west of the Allegheny Mountains were prohibited, the whole of the interior west of the Blue Ridge watershed being reserved, at least temporarily, to the Indians. The French and Indian War had made the British increasingly aware of the strength of the tribes located in the American wilderness; furthermore, they realized that interior colonies would have few ties with England and might tend to produce ruptures with the mother country. The Proclamation of 1763 was intended to create an Indian reserve, "where no settlement by planting is intended immediately at least to be attempted," and to ward off any Indian apprehensions regarding their lands.²⁶

In its Plan of 1764 the Board of Trade clarified what it meant to do in regard to the Indian boundaries, stating "that proper measures be taken with the consent . . . of the Indians to ascertain and define the precise and exact boundary and limits of the lands which it may be proper to reserve to them and where no settlements whatever shall be allowed."²⁷ Following these guidelines, John Stuart, the Superintendent of Indian Affairs for the Southern Department,

who was to conduct these conferences with the southern Indians subject to the advice of the interested colonies' governors, completed the more southern part of the line and by 1766 stood ready to do the same for Virginia.

The boundary line from North Carolina had been arranged as far as Chiswell's Mines on the New River. Stuart hoped to complete his job of drawing the boundary line during 1766 by arranging with the Cherokee for the continuation of the line back of Virginia. He communicated this plan to Lieutenant Governor Fauquier on 10 February, 24 November, and 17 December 1766, and on 2 March, 19 March, and 21 July 1767, enclosing copies of messages to him from the Cherokee, pointing out their claims and the course of the proposed line.²⁸ Fauquier never explicitly agreed to Stuart's plans; when he finally answered Stuart's letters in the fall of 1767 he stated that he could not act because he had no instructions from London, and, if he had to set the line himself, he would not know where to begin; furthermore, he wrote, Stuart, as superintendent, should demonstrate the necessity of fixing the line.²⁹

Meanwhile, Stuart had received several letters from the Earl of Shelburne, Secretary of State for the Southern Department (which, until 1768, included the American colonies), directing him to lose no time in finishing up his boundary line in cooperation with the governor of each colony.³⁰ Receiving no help from Fauquier, Stuart wrote to

Shelburne on 28 July 1767 that he did not find the problem to be of serious proportions so long as the Proclamation of 1763 prevented any trans-Allegheny settlement.³¹ Shelburne, however, had heard rumors that Virginia was planning to encourage land speculators to make such settlements, and on 14 November 1767 he instructed Fauquier to join Stuart in running a boundary line from Chiswell's Mines to that point from whence the northern provinces set out.³² At the time, "that point from whence the northern province set out" was interpreted to mean the southwestern corner of Pennsylvania, but it seems to have been an error on Shelburne's part, he having confused the recently surveyed Mason-Dixon line with the Indian boundary line.

Sir William Johnson, the Superintendent of Indian Affairs for the Northern Department, had meanwhile been actively attempting to establish a northern boundary line to run down the Ohio River to the mouth of the Tennessee River. In 1764 Johnson had had his deputy George Croghan, who was in London, present a memorial to the Board of Trade in which he urged the purchase of a large tract of land whose western boundary would be the Ohio and all land west of which would be expressly reserved to the Six Nations for their hunting grounds. At a council with these Indians held in April and May of 1765, Johnson, although not yet empowered to settle anything definitely, used the opportunity to sound out the Indians on the proposal. They were

enthusiastic and proposed a line running from the German Flats to the Tennessee River.³³ In a letter to the Board of Trade of 28 June 1766 Johnson wrote that the boundary line was extremely desired by the Indians and "so soon as I am authorized to settle it will I am hopeful prove in no small degree usefull for preventing disputes on that subject."³⁴ In several other letters to the Board of Trade and to the Earl of Shelburne written in 1766 and 1767 he expressed the same views and asked that he might be given the authority to proceed in the matter.³⁵

On 23 December 1767 the Board of Trade recommended to Shelburne that the northern line be settled, but that it should only extend down the Ohio to the mouth of the Kanawha River, since the southern Indians, the Cherokee, claimed the land west of that river and were in actual possession of it, using it for their hunting grounds.³⁶ On 5 January 1768 Shelburne ordered Johnson to complete the line as set forth in this report.³⁷

Stuart also being advised to complete his proposed line, both superintendents immediately set out to fulfill their instructions. Johnson made plans to meet with the northern Indians in the summer of 1768, and Stuart instructed his deputy Alexander Cameron to arrange a meeting of the Cherokee and Virginia representatives to undertake the survey of the Virginia-Cherokee boundary as set forth in the Board of Trade's report. Cameron accordingly planned to begin the

survey at Chiswell's Mines on 25 October.³⁸ Stuart wrote to Blair on 4 April, 7 July, and 19 August 1768, informing him of his activities,³⁹ but Blair, like Fauquier, did not reply. He did, however, appoint two commissioners, Andrew Lewis and Thomas Walker, on 15 June 1768 to represent the colony at the meeting of the northern Indians and Sir William Johnson on 25 July at Shamokin on the east branch of the Susquehanna River in Pennsylvania and at the meeting of the Cherokee on 25 October at Chiswell's Mines to run Stuart's boundary line.⁴⁰

Still further instructions on the Indian boundary line issued from London in the spring of 1768. On 7 March 1768 the Board of Trade recommended several changes in Indian affairs in the colonies, two of the most important being that control of the Indian trade was to be entrusted to the colonists and that Stuart was to obtain formal recognition of the Kanawha as boundary; or, since the Cherokee had abandoned any pretension to lands below Chiswell's Mines, of a straight line running from the mines to the mouth of the Kanawha (which would have made the amount of land received by the colony somewhat greater).⁴¹ On 15 April 1768 Hillsborough, newly appointed as Secretary of State for the American Department, signified that this line should be confirmed by treaty.⁴² No other proposal moved him to change this policy, and on 15 September he again repeated his instructions that the 7 March line be confirmed.⁴³

Stuart planned to meet with the Cherokee in September

to explain all these things to them, but was unable to do so until October.⁴⁴ He conferred with them on 13-17 October and concluded a treaty ratifying the line he had been instructed to confirm. The Indians requested at this conference that the surveying of the line (which was to have begun on 25 October) be postponed until 10 May 1769 because the season of the year and the terrain to be surveyed (running a more westerly course than earlier planned upon in accordance with the board's 7 March report) would make it too difficult to mark in November. Stuart agreed and on 17 October wrote to Blair of the treaty and of the postponement of the survey.⁴⁵

Botetourt had by this time succeeded Blair and answered Stuart's letter on 6 November 1768, stating that he had informed Andrew Lewis of the postponement.⁴⁶ At the time he had no idea that Sir William Johnson's conference with the northern Indians would throw the whole Indian boundary line again into confusion.

On 16 July 1768 Lewis and Walker had reached Shamokin, where they could find no sign of any congress. Having written Johnson, they learned on the 18th of August that a conference was to be held at Fort Stanwix on 1 September. The commissioners immediately left Shamokin and traveled to the new meeting place. Again there were delays and the congress did not open until 12 October. This was so close to the time of Stuart's meeting that it was decided that Lewis

should immediately hurry to Chiswell's Mines.⁴⁷ He arrived on 2 November, too late for the treaty, received Botetourt's letter of 6 November explaining the postponement of the line, and returned to Williamsburg.⁴⁸

In November 1768 Johnson ratified a treaty with the northern Indians confirming a boundary line that ran all the way to the Tennessee River, the Indians declaring "it to be our true Bounds with the Southern Indians & that we have an undoubted Right to the Country as far South as that River which makes our Cession to his Majesty much more advantagious than that proposed."⁴⁹

Botetourt, a newcomer in these affairs, became convinced that Stuart's treaty had been too hasty and was unjustly depriving Virginia of lands ceded at Fort Stanwix. He wrote to Hillsborough on 20 December 1768 that he was sending Lewis and Walker to confer with Stuart about this new state of affairs and requested that the position of the boundary line be reconsidered in London in the light of Johnson's treaty:

Had we without further conference with Mr. Stuart resolved to agree next May at Chiswells Mines to the Line agreed to by that Superintendant, we shoud have given up to the Cherokees a very large tract of Country which has lately been purchased for us by His Majesty at Fort Stanwix and to which I am informed those Indians have never laid any claim, shoud have abandon'd a

numerous body of settlers who settled in consequence of Acts of Assembly passed in 1752 and 53 and approved of by his late Majesty, should have offended the Northern Indians and greatly increased the difficulty of purchasing those lands from the Cherokees which are by all admitted to belong to them.

Your Lordship has now fully before You the reasons upon which we have proceeded, and if they have the same effect upon His Majesty and his Council as they have had upon me, Mr. Stuart will immediately be enabled to complete with the Cherokees what Sir William Johnson has so happily begun at Fort Stanwix.⁵⁰

The Virginia council had already agreed that Lewis and Walker be sent to Stuart to ascertain if he still adhered to his line or if he might change his mind.⁵¹ On 20 December 1768 Botetourt made his protestations in a letter to Stuart, informing him of the Fort Stanwix cession and stating that he was sending Lewis and Walker to confer with him in person.⁵² Botetourt instructed these gentlemen to protest Stuart's exceeding his instructions by not having a Virginian present at his proceedings (this and the following points must have especially irritated Stuart), to state that if Virginia had been fully informed she would have acted differently, and to ask that Stuart make no move until he had heard from London.⁵³

On 19 January 1769 Stuart wrote to Botetourt acquainting him with what he had tried to do to inform both Fauquier and

Blair of his actions, but concluding that he would be more than willing to reopen negotiations if he were so instructed by His Majesty.⁵⁴ On 2 February 1769 the Virginia commissioners reported that they had met with the Cherokee and Stuart at Charleston, South Carolina, and that the Indians had readily agreed that those colonists settled on lands between Chiswell's Mines and the Long Island of Holston River should remain in peaceable possession of their lands and that they were willing to reopen negotiations.⁵⁵

All that remained was for London to agree to new negotiations. On 1 March 1769 Hillsborough wrote to Botetourt that he could not understand why Sir William Johnson had deviated from his instructions, but, in effect, he felt that what was done was done. And since it appeared that Stuart's line had excluded many legal settlements that had been encouraged by various English actions (mentioned above), the king had therefore decided to recommend that the matter again be referred to the Board of Trade.⁵⁶

Stuart had proposed in February that the boundary line now run from the northern end of the North Carolina-Indian boundary directly west to the Holston River and thence in a straight course northeast to the mouth of the Kanawha.⁵⁷ This proposal appealed both to Hillsborough and to the Board of Trade, and on 13 May 1769 Hillsborough wrote Botetourt that he had instructed the superintendent to undertake a new congress to ratify this line, provided Virginia would pay the

congress's expenses.⁵⁸

While awaiting these instructions on the boundary line from London, Botetourt had been able to turn his attention to the opening of his first assembly on 8 May 1769. Botetourt, a loyal subject of the king, hoped to impress the Virginians with the splendor and dignity of the throne, thereby reminding them of their true relationship with their mother country. He rode from the Palace to the Capitol in a superbly finished coach of state, which the Duke of Cumberland, uncle of George III, had presented to him and which now bore the Virginia arms and was drawn by six magnificent, white Hanoverian horses. He was dressed in a very rich costume after the fashion of the day and his coat, which was red, was very heavy with gold thread tissue. In his opening speech of the session it was said he spoke and conducted himself very much as the king did in Parliament.⁵⁹

Botetourt had high hopes for this his first session. On 17 May, however, he was forced to dissolve the assembly because of its resolves protesting taxes imposed on the colonists without their consent and also the removal of Massachusetts subjects to London for trial.⁶⁰ The king had instructed that if the assembly should by any votes, resolutions, or addresses to the governor persist in an open denial of the legislative authority and power of Parliament, he was to immediately dissolve it and suspend any council members who might have concurred or assented to any such

proceedings.⁶¹ Consequently, he summoned the burgesses to him in the council chamber that day and stated: "I have heard of your Resolves, and augur ill of their Effect: You have made it my Duty to dissolve you; and you are dissolved accordingly."⁶²

The assemblymen, judging "it necessary that some Measures should be taken in their distressed Situation, for preserving the true and essential Interests of the Colony," resolved upon a general meeting for that purpose and repaired to the house of Anthony Hay in Williamsburg, chose Peyton Randolph moderator, proposed that an association should be formed, appointed a committee to prepare resolves, and agreed to meet the next day.⁶³ When they gathered on the following day, many of the principal men of the colony signed a agreement proscribing the importation of certain listed articles, including those taxed by the Townshend duties.⁶⁴

On 8 August 1769 Botetourt made known to the council the contents of Hillsborough's letter to him of 13 May, regarding the Indian boundary line. The councillors thereupon advised the governor to summon a new assembly and suggested that the writs for electing the new burgesses be dated 14 August and that the assembly convene on 7 November.⁶⁵ The assembly, it should be remembered, had to be convened quickly, in order that they might decide whether or not to allocate the funds for a new congress with the southern Indians.

Any hopes that Botetourt might have been entertaining

that this new assembly would carry out its business without making it his duty to dissolve them were immeasurably brightened by Hillsborough's letters to him of 13 May and 17 July 1769,⁶⁶ in which Hillsborough informed Botetourt of the desire of the English administration to repeal the Townshend duties, and gave the governor the authority "to declare these Principles in the fullest manner"⁶⁷ On 7 November Botetourt transmitted to the assembly the king's intention to take off the duties, stating that he had been informed by Hillsborough that "His Majesty's present Administration have at no time entertained a design to propose to Parliament to lay any further Taxes upon America for the purpose of raising a Revenue"⁶⁸ Not stopping with this assurance, Botetourt elaborated on the point. Some persons, he continued, might object that the king's present ministers are not immortal and that their successors might reverse such a policy. To which objection Botetourt answered:

it is my firm Opinion that the Plan I have stated to You will certainly take place and that it will never be departed from, and so determin'd am I for ever to abide by it, that I will be content to be declared Infamous, if I do not to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am or ever shall be legally invested, in order to obtain and maintain for the Continent of America that satisfaction, which I have been authorized

to promise this day, by the Confidential Servants of our Gracious Sovereign, who to my certain knowledge rates his Honour so high, that he would rather part with His Crown, than preserve it by Deceit.⁶⁹

Botetourt also placed before the assembly Stuart's proposed alteration in the boundary line, with an estimate of the expense that would attend it, for the burgesses' consideration. On 13 December 1769 the burgesses presented a memorial to Botetourt that set forth their views on the new boundary line. They were inclined to think, for several reasons, that the matter should be again presented to His Majesty for review. The proposed line would, first of all, pass through a dangerous and rugged country that would provide extreme difficulties for anyone surveying the proposed line. Much land gained at Fort Stanwix and a beneficial trade with the Indians in those lands (which was then mainly conducted by France) would be lost. Furthermore, the line would exclude many legal settlements that had been established west of it. The burgesses proposed instead that a line beginning with the western termination of the North Carolina-Virginia boundary be run due west to the Ohio River.⁷⁰

On 15 December the burgesses made an address to Botetourt, asking that he "lay before our royal Sovereign a more perfect State of the Matter," and that he recommend that the boundary be further extended to the west.⁷¹ If this was not possible and the king had already made his

ultimate decision on the matter, however, they were ready to acquiesce, and had appropriated £2500 to defray the expenses of the congress. On 18 December Botetourt wrote to both Hillsborough and Stuart, informing them of the burgesses' actions.⁷² He particularly asked Stuart that he take no further steps until he heard from London and asked for Stuart's "Reasons why this Colony may not be allowed to purchase from the Indians a most desirable Country which would in time add very greatly to the value of his Majesty's Quit-rents."⁷³

Stuart answered this letter on 13 January 1770. He stated that he was persuaded that the Cherokee would never consent to Virginia's proposed boundary line for several reasons: (1) the line as proposed would never touch the Ohio and would pass too close to the Cherokee towns along the Little Tennessee River; (2) it would deprive the Cherokee and Chickasaw of their best hunting grounds; (3) it would bring the colonists and the Indians so close together that it could only result in further outbreaks of violence; and (4) what would seem an encroachment by the English on Indian lands would result in a coalition of all the tribes on the continent and new wars.⁷⁴

Botetourt replied to this letter on 8 February, averring that he would agree entirely with Stuart if the assembly proposed to take a single acre of land without the consent of the Indians who were actually entitled to part with it.

"But as the reverse is true I shall still flatter myself that His Majestys Servants will at last be convinced of the utility and reasonableness of our Humble Prayer and that You will be directed to contribute your Assistance towards our obtaining the Object of our Wishes."⁷⁵ In the meantime, he continued, he would attempt to keep all adventurers from Virginia from settling beyond the line already agreed upon, until His Majesty's further commands were known.

No more action was taken on the problem until 15 June 1770, when the House of Burgesses suddenly agreed to the line proposed by Stuart in February and asked Botetourt to take the necessary steps for entering into a treaty with the Cherokee for that purpose.⁷⁶ On 21 June the governor wrote Stuart, instructing him to so proceed.⁷⁷ Three weeks later Stuart answered Botetourt, but said that £400 more than the original £2500 requested would be needed to complete the purchase.⁷⁸ Botetourt, having prorogued the assembly on 28 June, took the unusual step of providing the money out of the quitrent fund.⁷⁹

One last attempt was made to extend the boundary line before it was finally ratified in October of 1770. On 17 August Botetourt laid before the council a supposed letter from the Cherokee chief Oconostota, which stated that the Cherokee were eager to sell their land and urged that a congress be held between the Indians and the Virginians without Stuart's presence.⁸⁰ Another Indian chief, Saluy,

or the Warrior of Estatoe, was present in Williamsburg and argued to the same effect.⁸¹ Lewis urged Botetourt in a letter of 6 July to accept the offer,⁸² but Botetourt replied to Saluy that the power was beyond him; he could not legally appoint any other person than John Stuart to transact business with the Indians.⁸³

Sturart convened the Cherokee at Lochaber in South Carolina in October, and a treaty was signed on the 18th. The boundary line there ratified extended from the Virginia-North Carolina border to a point six miles east of the Long Island in Holston River; from there it ran six miles above the island and then in a straight line to the confluence of the Kanawha and Ohio rivers.⁸⁴ The Indians offered to give up more land to compensate for their retention of the Long Island, but Stuart did not feel authorized to accept. Neither did he want, it seems probable, to give the Virginians the idea that further negotiations might gain more land.

Botetourt did not live to see the conclusion of these years of complicated negotiations concerning the boundary line. He died on 15 October 1770 in the Palace in Williamsburg, after suffering for three weeks from an undetermined sort of "bilious fever." Sincere regret of his death seems to have been almost universal. The Virginia Gazette (Purdie and Dixon)⁸⁵ declared: "suffice it then to inform such Parts of the World as were strangers to his transcendent Merits, that Virginia, in his Fall, sorely laments the Loss

of the best of Governors, and the best of Men," and published several poems and odes on his death.⁸⁶ On 12 December 1771 an extract from the letter of a Virginian to a friend in Boston appeared in the paper: "I verily believe, if he had lived, he would have been the greatest Friend America ever had. At all Events, I WISH YOU HAD HIS EQUAL."

Comments by individual Virginians were of the same vein. Colonel Landon Carter wrote of him:

A fine Gentlemen is dead and truly Noble in his Public character. He, as anecdote says, was pitcht upon to be the Agent of a dirty tyrannic Ministry; but his virtues resisted such an employment and he became the instrument of a dawning happiness; and had he lived we should have been so; for through his active and exemplary virtue, order everywhere revived out of that confusion that our own dissipative indolence had thrown us into. . . . The chicanery of profession . . . which was paving the way to mercenariness and corruption will again begin the great work of enslaving this Country and in it all America.⁸⁷

Carter had heard that Botetourt had died on 13 October, but on the 20th he found out that Botetourt had not, after all died on that day. He wrote in his diary: "God's will be done, but I hope he has in this instance been mercifull to this poor Colony; for it seems it has been this good man alone that has prevented those devils from attempting to distress

this Colony."⁸⁸

Botetourt's general popularity was so great that his virtues were still being referred to in 1775; an address to Lord Dunmore in that year, for example, reminded that unlucky governor of the good precedent that had been provided by his predecessor:

Matters were not at that time carried on, and precipitated, with so high a hand, on the other side of the water, as at present. This probably was owing to his [Botetourt] minutely examining every subject to the bottom himself, taking nothing upon trust; to his discountenancing tale-bearers, and malicious informers; and, at last, making a faithful representation of things as he found them. In a short, too short a time, for the happiness of Virginia, it pleased God to remove him from us.⁸⁹

The public reasons for this popularity were many. All of Virginia knew of Botetourt's dislike of writs of assistance and the Townshend duties and his attempts to have them repealed in England, of his activities on their behalf in the boundary problem, and of his sincere desire to reconcile the differences between the colony and the mother country. Very few blamed Botetourt for his dissolution of the assembly in May of 1769, feeling rather that he was merely carrying out the dictates of his superiors, a job that seemed to be distasteful to him. Many may have felt, as Landon Carter did, that Botetourt had been a bulwark not only against the

corruption being transmitted from England to America in the years before the Revolution and the mother country's sinister schemes to enslave America, but also against the Virginians' own corruption. But his death, as Carter feared, would enable "those devils" in London to renew their attempts to distress the colony and would loose again the confusion that the colony's own "dissipative indolence" was wont to set in motion.⁹⁰

Botetourt's personal characteristics of generosity, charm, and conviviality did as much as his political actions to enhance his popularity in Virginia. On his very arrival in the colony he had already demonstrated these personal characteristics. He had just undergone a very long and no doubt fatiguing journey of two months by sea to reach Virginia. Opportunities must not have been lacking for the crew and the passengers to display some of their worst characteristics. Yet Botetourt's first letter to Hillsborough contained this line: "It is impossible for people to live better together than the Crew of His Majestys Ship Rippon."⁹¹

Balls were held frequently at the Palace while Botetourt was in residence, and he had many visitors among the colonists on less formal occasions. One very pleasant story of his charm was told by Anne Blair to Mrs. Mary Braxton in a letter of 21 August 1769. On a summer evening as the Blairs and their friends sat singing on their steps, they saw a lantern and a candle coming up the street. The pedestrians stopped

as though to listen, and the music suddenly ceased. One of the listeners spoke, "Charming! proceed for God sake, or I go Home directly." The singers exclaimed: "pray Walk in my Lord." But Botetourt would not; instead he sat beside them on the steps listening to the music until the party ended.⁹²

Another famous anecdote concerns his death. Robert Carter Nicholas, in one of his many visits to the Palace, had observed to Botetourt that he (Botetourt) ought to be very unwilling to die. When Botetourt asked why this should be so, Nicholas replied: "Because you are social in your nature and so much beloved, and you have so many good things about you that you must be loth to leave them." Shortly before he died, Botetourt sent for Nicholas so that he might see that the governor resigned "those good things of which you formerly spoke with as much composure as I enjoyed them."⁹³

Examples of his generosity while in Virginia are many. On 5 February 1769 he requested Lord Hillsborough that he might set free two poor women who in December 1767 were fined £20 each and ordered to spend a year in jail, but having endured over a year, were still incapable of paying their fines.⁹⁴ In November 1769 the Virginia Gazette reported that John Witherspoon, president of the newly founded college of Nassau Hall (Princeton University), had visited Williamsburg in the interest of his college, hoping to raise money for its support. He made an address in the Capitol yard and collected some money from the city's inhabitants; to this

Botetourt added £50 of his own.⁹⁵ Realizing that charity begins at home, Botetourt also contributed a sum of money to Williamsburg's own College of William and Mary to provide two gold medals as prizes for the best student in classical learning and for the best student in philosophical learning.⁹⁶

Botetourt's funeral took place on 19 October 1770.⁹⁷ According to William Marshman, one of his Lordship's servants, Botetourt expressed a desire to be buried in Virginia. His nephew and heir, the Duke of Beaufort, was agreeable to this wish and so informed the committee of men who organized the governor's funeral (William Nelson, John Randolph, Robert Carter Nicholas, George Wythe, and John Blair).⁹⁸ At 3:00 the afternoon of the 19th the funeral procession left the Palace and moved slowly to Bruton Parish Church, where Commissary James Horrocks spoke. From there the procession went to the college chapel, where the body, encased in three coffins (one of which was lead ornamented with silver), was placed in a vault.⁹⁹ These elaborate ceremonies were said to cost £700.¹⁰⁰ All the leading men of the colony, who, upon Botetourt's death, had gone into deep mourning for their late governor, attended.

On 20 July 1771 the House of Burgesses of the colony voted unanimously to erect a statue of Botetourt at the public expense, "with proper Inscriptions, expressing the grateful Sense this House entertains of his Lordship's prudent and wise Administration, and their great Sollicitude to perpetuate,

as far as they are able, the Remembrance of those many public and social Virtues which adorned his illustrious Character."¹⁰¹ The sculptor Richard Heyward made the statue in London. According to the Virginia Gazette (Purdie and Dixon) of 20 May 1773, the Virginia, captained by Howard Esten, brought it to Virginia; the paper reported it to have cost £700, although another source put it at £950 inclusive of the cost of shipping but exclusive of the salaries of the men sent from England to install it.¹⁰² It was placed in the Capitol, but in 1798 was removed to the grounds of the College of William and Mary, the seat of government having been moved to Richmond. During the Civil War it was taken to the Eastern State Hospital for protection;¹⁰³ after the war it was returned to the college, where it now stands, somewhat the worse for wear, in the library. The inscription on the left side may well stand as Botetourt's epitaph:

America, behold your friend! who, leaving his native country, declined those additional honours which were there in store for him, that he might heal your wounds, and restore tranquility and happiness to this extensive continent. With what zeal and anxiety he pursued these glorious objects, Virginia thus bears her grateful testimony.¹⁰⁴

TEXT OF THE LETTERS

TO THE EARL OF HILLSBOROUGH, 9 OCTOBER 1768¹

[Unnumbered]

Rippon,² 9 October 1768

We are arrived at Latitude 38 and 1/2, are within 400 Leagues of the desired port and all in perfect health. The wind is at present directly in our teeth but as we are in hourly expectation that it will become perfectly fair, almost depend upon being in Virginia in less than a fortnight.

[P.S.] It is impossible for people to live better together than the Crew of His Majestys Ship Rippon.

TO THE EARL OF HILLSBOROUGH, 26 OCTOBER 1768³

No. 1 Little England, Hampton,⁴ 26 October 1768, 10:30 a.m.

I am this instant arrived at Col. Bellford's and shall set forward for Williamsburg the first possible minute. He reports the Colony to be in the very best disposition. The Captain who is to carry this to England will sail the instant he receives it.

TO THE EARL OF HILLSBOROUGH, 1 NOVEMBER 1768⁵

No. 2

Williamsburg, 1 November 1768

I have the honour to acquaint your Lordship that Colonel Cary⁶ naval Officer with three other Gentlemen met us upon the Water within a Mile of little England Wednesday the 26th of October, and followed to Mr. Bellfort's⁷ who came with us from the Rippon, where he had been at Mr. Hanbury's⁸ desire, to offer his Best Services. Colonel Cary finding me eagerly bent upon being at Williamsburg that night, immediately order'd his Chariot and convey'd me within four miles of the City, where I was met by Mr. Secretary Nelson and his Brother;⁹ at the Capitol we found the Council¹⁰ and all the Gentlemen of Williamsburg assembled to receive us. I was immediately conducted to the Council Chamber; and after my Commissions were read took the oaths and swore in the Council. On Thursday by advice of the Council I dissolved the House of Burgesses and am issuing Writs for a new Assembly returnable the 15th of December,¹¹ it is not our intention that they shall then meet, that not being thought a convenient Season, but it is the wish of all, that Elections may be over as soon as possible, in order to stop expence which is growing to be considerable. Inclosed are Addresses from the Council, the Corporation of Williamsburg and the College of William and Mary: By them you will judge of the present disposition of the Colony, in appearance nothing can be better. As my Servants could not keep up with me and the Palace was totally unprovided with every thing, I have been asked every day to dinner by the principal Gentlemen and am at present upon the very best terms with all. I like

their stile exceedingly and augure well of every thing that is to happen. My House is admirable, the ground behind it much broke well planted and water'd by beautifull Hills, and the whole in every respect just as I coud wish.

I wrote a line to You from Mr. Bellfort's the instant I landed and in obedience to your orders called it No. 1. Will send a Duplicate of this by the next Ship. You will receive an Appeal from a determination of the General Court¹² upon a matter of great importance to the Colonies, the Question was whether Negroes not annexed to land are by the Act of 1705 Ch. 23 and 1727 Ch. 11 intailable;¹³ it was resolved in the negative. They had a right to an Appeal as the value of the matter in dispute exceeded 500.¹⁴ Let me intreat You to shew this letter to our friend Lord Barrington.¹⁵ Mr. Hamilton¹⁶ is my Chaplain. Our passage though rather long, was very pleasant owing to the indulgence of Captain Thompson¹⁷ and his officers. Your Lordship may depend upon receiving the usual office papers by the very first opportunity after the General Court -- and that ever after I will be punctual.

Enclosure 1: Address of the Council and Lord Botetourt's Answer, 27 October 1768¹⁸

To his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governour General of the colony and dominion of Virginia, and Vice Admiral of the

same.

The humble Address of the Council.

My Lord

We his Majesty's dutiful and faithful Subjects, the Council of Virginia, beg leave to congratulate your Excellency upon your appointment to this government, and to express our joy at the pleasing event of your safe arrival in the Colony.

Permit us, at the same time, to acknowledge the wisdom and goodness of our most Gracious Sovereign, which have determined him to make choice of a Nobleman of your Excellency's many eminent virtues and distinguished abilities to rule over and to reside among us; and as an earnest of the sincerity of these professions, we desire to assure your Excellency that as it is our Duty, it shall be also our Study within our department, to render your administration acceptable to the best of Kings, honourable, agreeable, and easy to yourself, and productive of the happiness and prosperity of his Majestys loyal people of this dominion. Of this disposition we shall be solicitous to give proofs on all occasions, in full confidence that while we keep in view these important Objects, and steadily pursue them, we may humbly hope for some small share of the Royal favour and good opinion, the highest mark of honour to which our endeavours shall be invariably directed.

Lord Botetourt's Answer.

Gentlemen of the Council.

Your expressions of loyalty and duty to our Gracious Sovereign give me the greatest satisfaction, and I can with truth aver that every thing I have seen and heard since I landed in Virginia has been pleasing in the highest degree. Your stile of acceptance of me for your Governour is most flattering. From myself I have nothing to offer but good intentions, but on this you may depend, that if I have the good fortune to answer the purposes of my Royal Master, you will be happy indeed.

Thursday October 27th.

Enclosure 2: Address of the Corporation of Williamsburg and Lord Botetourt's Answer, 28 October 1768¹⁹

To his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governour General of the colony and dominion of Virginia, and Vice Admiral of the same.

May it please your Excellency

We the Mayor, Recorder, Alderman, and Common, Council, of the city of Williamsburg,²⁰ wait on you to present our congratulations on your safe arrival to your government. This tribute of respect has never been offer'd by us with greater sincerity than on the present occasion, those who had the honour of your acquaintance having set your character in so amiable a light as to engage our affections before

we have experienced your virtues. We do not doubt, my Lord, that we shall find you truly a representative of our Gracious Sovereign, by making the Welfare of his loyal colony the great object of your Administration and promoting the happiness of individuals by every Act of paternal tenderness.

His Majestys goodness in appointing a Governour so well qualified to support his dignity, and contribute to the felicity of his people, demands our warmest acknowledgments; and we should be ungratefull not to give him, in return, the most convincing testimonies of our loyalty and attachment to himself, and his illustrious family.

Permit us, my Lord to ask for your favour and protection to this infant city, and to assure you that nothing on our parts shall be wanting, as far as this narrow sphere in which we are destined to move will permit, to render the extensive duties of your high station easy and agreeable.

Lord Botetourts Answer.

Gentlemen

Your very affectionate address demands my best thanks; but I much fear, from your kind language, that my friends in England have been too good to me, and that it will not be in my power to come up to their partial report. At all events I will do my best, and shall make it the great object of my life to discharge my Duty to my Royal Master by the strictest attention to the true interests of every part of this his Majesty's ancient and loyal colony.

Friday October 28th.

Enclosure 3: Address of the President and Professors of the
College of William and Mary and Lord Botetourt's Answer,
Undated²¹

To his Excellency the Right Honourable Lord Botetourt his
Majestys Lieutenant and Governor General of Virginia.
May it please your Excellency

We the President and Professors of William and Mary
College²² most humbly entreat your Excellency's favorable
Acceptance of our sincere Congratulation upon your safe
Arrival in this Dominion.

We beg Leave on this Occasion to express to your
Lordship our warm and firm Attachment to the Best and most
amiable of Kings, not only for the General and Great
Happiness we enjoy under his Majesty's Auspicious Reign, but
especially for the gracious Attention to us in appointing
your Excellency to the Government of Virginia.

For the Fame of that Knowledge and Experience which
have enabled your Lordship to appear with Lustre in both
Houses of the British Parliament,²³ your celebrated Character
so amiable in the Scenes of private Life had reach'd this
remote Region long before your Excellency was expected in
America.

These, My Lord, afford a solid Foundation whereon to

build the most firm hope of mutual Satisfaction to the Governor and Governed of this his Majesty's most ancient and respectable Colony; a Colony distinguished long ago by it's Loyalty in the most trying Times of a successful Usurpation,²⁴ that for a Season triumph'd over the Constitution both of the Church and the State; an early Glory in the Annals of this Country, which it can never desire to forget.

That no Cloud of Discontent may arise from any Quarter to cast a Gloom over so bright a Prospect of Political Happiness, and that the small Society, of which we are the present Members, founded and endow'd by the Munificence of the Crown, and liberally encouraged by the Donations of the General Assembly for the Common good in the Education of Youth,²⁵ may have the Merit to obtain its share of your Lordship's Countenance and Protection, when unengrossed by higher Concerns, are Petitions which will ever have their due Place in our most devout Prayers to Him, by whom Kings reign, and through whose good Providence Seminaries of Learning and Piety may hope to be advanced to their just Importance and Dignity, and States to flourish in Riches, Honor, and Security.

Lord Botetourts Answer.

Gentlemen

I can't sufficiently express my satisfaction at the language of Duty and Gratitude to our Gracious Sovereign

which so cordially flows from all orders and Degrees of men in this Ancient and Loyal Colony and Dominion of Virginia, and Give me leave to assure You, that the kind notice which has been taken of His Majestys Devoted Servant can never be forgot. The College of William and Mary does Honour to this Great Country. Ages unborn will feel its effect, and upon this you may depend, that you cannot Oblige me more, than by marking out any plan, by which I may be enabled to contribute to it's advancement and prosperity.

TO THE EARL OF HILLSBOROUGH, 5 NOVEMBER 1768²⁶

No. 3

Williamsburg, 5 November 1768

We continue to go on well. Inclosed is an Address from the Merchants now met at Williamsburg with three Proclamations. If the paper I write upon is improper, one line of direction to Mr. Conway²⁷ my Agent in Beaufort buildings to send me a quantity of that sort You approve, will set that matter right, as I will immediately upon receiving it transmit to Your Lordship triplicates of every thing which has been before sent.

Enclosure 1: Address of the Virginia Merchants and Traders and Lord Botetourt's Answer, Undated²⁸

To his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governour General of

the Colony and Dominion of Virginia, and Vice Admiral of the same.

The humble Address of the Merchants and Traders of Virginia.

May it please your Lordship

We his Majesty's truly dutiful and loyal Subjects, the Merchants and Traders from the several parts of this Colony, now met at this Metropolis, entreat your kind Acceptance of our cordial and unanimous Congratulations on your safe and happy Arrival to this Dominion.

My Lord, we approach you with Hearts filled with the warmest Sentiments of Affection and Gratitude to our Most Gracious Sovereign, for his great Goodness in constituting a Nobleman of your amiable Character and known Abilities to preside over and live amongst us.

Permit us to assure your Excellency of our inflexible Fidelity to his Majesty's sacred Person and Government, and of our determin'd Resolution to contribute all within the Extent of our Power to the Happiness of your Administration.

We humbly hope for your Excellency's Protection and Patronage in advancing the commercial Interest of this Colony, so immediately connected with that of our Mother Country.

Lord Botetourt's Answer.

Gentlemen

I shou'd ill deserve the very high honour which has been conferr'd upon me by my Royal Master if I did not

receive with gratitude and thankfulness your very loyal and affectionate Address. The Stile and manner in which you avow devotion to our most Gracious Sovereign convinces me that you are sincere and it is with the highest satisfaction, I can venture to assure You that his Majestys purposes of Government are compleatly to your wish. I feel the weight and importance of my present situation, but do not despair and unless appearances are very deceitfull I shall for ever rate the day of my landing in Virginia as the Happiest Aera of my life. The Commerical Interest of this Colony may depend upon my best Services.

Enclosure 2: Lord Botetourt's Proclamation of 26 October 1768²⁹

Virginia sc.

By his Excellency the Right Honourable Norborne Baron de Botetourt his Majesty's Lieutenant and Governor General of the said Colony and Dominion and Vice Admiral of the same.

A Proclamation Continuing Officers.

Whereas his most sacred Majesty hath by his Royal Commission bearing date at Westminster the 12th day of August in the eighth year of his Reign Constituted and Appointed me his Lieutenant and Governor General of this his Colony and Dominion thereby giving and granting unto me full power to exercise all and all manner of Jurisdictions powers and authorities to the same belonging: Now to the end that the peace of this his Majesty's Dominion may be the better secured

and all proceedings at law continued and that the ordinary course of Justice may not be interrupted, I have thought fit, by and with the advice of his Majesty's Council³⁰ of this Colony in his Majesty's name to publish and declare, that all Majestrates and Officers both Civil and Military do continue and remain in all singular their powers authorities and Jurisdictions untill further order be taken therein; hereby requiring them to proceed in the execution of their several duties; and all his Majesty's Subjects within this Colony are to be aiding and assisting to them therein and to yield all due obedience to this Proclamation.

Given under my hand and the Seal of the Colony at Williamsburg this 26th day of October 1768 in the Ninth year of his Majesty's Reign.

God save the King.

Enclosure 3: Lord Botetourt's Proclamation of 27 October 1768³¹

Virginia sc.

By his Excellency

A Proclamation Dissolving the General Assembly.

Whereas the General Assembly stands prorogued to the last Thursday in January next; and whereas I have thought fit for divers considerations regarding his Majesty's Service to dissolve the said Assembly; I have therefore by and with the advice and consent of his Majesty's Council issued this

Proclamation declaring the said Assembly to be dissolved, of which all his Majesty's Subjects within this Colony are required to take notice. And whereas I am desirous upon all occasions to have the advice of a General Assembly for his Majesty's Service and the good and prosperity of his Majesty's Subjects; I do hereby further publish and declare, that I intend shortly to issue Writs for the election of Burgesses to serve in the new Assembly, at such time as by the advice of his Majesty's Council shall be judged most fit and convenient.

Given under my hand and the Seal of the Colony in Williamsburg this 27th day of October 1768 in the Ninth year of his Majesty's reign.

God save the King.

Enclosure 4: Lord Botetourt's Proclamation of 1 November 1768³²

Virginia sc.

By his Excellency

A Proclamation For publishing the Ratification of one Act of Assembly and the Repeal of Five passed in April 1767.

Whereas his Majesty was pleased in Council the 12th day of August 1768 to signify his approbation and allowance of One Act passed in the year above mentioned viz.

An Act to confirm the Titles to Lands claimed by descent or purchase from Aliens.³³

And was pleased also to signify his disallowance of Five Acts

passed in the same year, intituled as follows, viz.

An Act for the punishment of Persons who shall aid or assist Prisoners for Debt to escape or attempt to escape out of Prison.³⁴

An Act for establishing Fairs in the Town of Mecklenburg in the County of Frederick.³⁵

An Act to compel Ships importing Convicts or Servants infected with the Goal Fever or Small Pox to perform Quarantine.³⁶

An Act to repeal an Act passed in the 30th year of the Reign of his late Majesty Georg the 2d intituled an Act to empower the Justices of the County of Norfolk to agree with Persons to keep certain Ferries and to levy the Expence thereof upon the Inhabitants of the said County and for other purposes therein mentioned.³⁷

An Act for laying an additional Duty upon Slaves imported into this Colony.³⁸

I do therefore in pursuance thereof by this Proclamation publish and declare that the said Act is confirmed, finally enacted and ratified: And that the said Five Acts are repealed made void and of none effect; and for the more solemn signification thereof I do appoint this Proclamation to be read and publish'd at the Court-house of the several Counties within this Dominion; and the Sheriffs are to take care the same be done accordingly.

Given under my hand and the Seal of the Colony at Williamsburg this 1st day of November 1768 and in the ninth year of the

reign of our Sovereign Lord George the third.

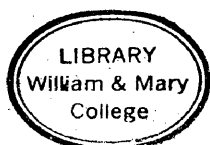
God save the King.

TO THE EARL OF HILLSBOROUGH, 10 NOVEMBER 1768³⁹

No. 4

Williamsburg, 10 November 1768

Inclosed is a Copy of a letter from Mr. Stuart⁴⁰ one of His Majesty's Superintendants which was received by Mr. President Blair⁴¹ friday Evening November 4th. He brought it to me early Saturday morning; at twelve that day, I laid it before the Council, and at eight Sunday morning, dispatchd an answer by express. I have likewise inclosed three other letters upon the same business, which I sent off by another express the same day. Amongst the papers I received from Mr. Pownal,⁴² No. 7 directs that I conform to the rule of correspondence prescribed in His Majesty's order in Council of the 8th of August 1766,⁴³ and adds, a Copy of which is hereby transmitted to You. I have search'd again and again and can find no such Copy. Inclosed is an Address from the Gentlemen of the Bar belonging to the General Court of this Colony, together with an account of His Majestys Revenue of 2s. per Hoghshead upon Tobacco from the 25th of April to the 25th of October.⁴⁴ Having seen two or three Paragraphs in the English Papers reflecting upon me by the initial letters of my name,⁴⁵ I intreat of Your Lordship, if that method is continued, that you direct the following words to be inserted



in the London Chronicle if You approve them:

Williamsburg November 10th: Lord Botetourt begs as a favour of those who shall for the future do him the honour to abuse him in the publick Papers, that they indulge themselves with writing out his name at length, as he promises to take no other Vengeance than will arise from his correcting himself if they hit right, and doing better if he can.

I have the satisfaction to find that the King and Queen's Pictures are arrived perfectly safe. Mr. Ramsey⁴⁶ never did two better. We are all delighted with them.

Enclosure 1: John Stuart to President John Blair, 17 October 1768⁴⁷

Sir

Hard Labour,⁴⁸ 17 October 1768

I have the Honour of acquainting You that in Obedience to His Majesty's Commands, on the 13th Current I met at this place all the principal Chiefs of the upper and Lower Cherokee Nations⁴⁹ and on the 14th by His Majesty's Royal Authority concluded a Treaty with said Indians, ratifying the Cessions of Lands lying within the Provinces of South Carolina, North Carolina, and Virginia, by them to His Majesty and his Heirs for ever; and confirming the Boundary Line mark'd by the Lords Commissioners of Trade and Plantations,⁵⁰ according to the several Agreements enter'd into with said Indians. The Line now ultimately confirmd

and Ratified by said Treaty runs as follows:

From a place called Towahihie⁵¹ on the Northern Bank of Savannah River,⁵² a North 50 Degrees East Course in a strait Line to a place called Dewisses Corner⁵³ or Yellow Water, from Dewisses Corner or Yellow Water, a North 50 degrees East Course in a strait line to the Southern Bank of Reedy River⁵⁴ at a place called Waughoe or Elm Tree where the Line behind South Carolina terminates. From a place called Waughoe or Elm Tree on the Southern Bank of Reedy River a North Course in a strait Line to a Mountain called Tryon Mountain,⁵⁵ where the great Ridge of Mountains becomes impervious. From Tryon Mountain in a strait Line to Chiswells Mine⁵⁶ on the Eastern Bank of the Great Conhoway River⁵⁷ about a N:B:E: Course, and from Colonel Chiswells Mine on the Eastern Bank of the Great Conhoway in a strait Line about a North Course to the Confluence of the Great Conhoway with the Ohio.

As soon as possible after my return to Charles Town, I shall send You Extracts of my Conferences, and an Authentick Copy of the above-mentioned Treaty concluded with said Chiefs. I acquainted the Chiefs that I expected their Deputies would set out immediately from this place with my Deputy to meet Your Commissioners at Colonel Chiswells Mine in order to finish marking the Boundary Line as agreed upon; but they objected and desired that Service might be deferr'd till the spring of next year, the reasons they urged for this delay are as follows: That when they appointed the 10th of November for the time of meeting your Commissioners, to proceed upon

that very important Service, they understood that they had no more to mark than from the Mountains where the Line behind North Carolina ends, to Chiswells Mine on the Conhoway, as they consider'd the River from thence to its confluence with the Ohio as a natural Boundary, but as the Line is to run in a strait course almost due North from the Mine to the Mouth of the River, the advanced season of the year will render that service impracticable before the Spring, as the Line now ultimately agreed upon runs through a large extent of Mountanous Country uninhabited, where in the Winter the cold will be extremely intense and there will be no Shelter for Men or food for Horses at that Season. These Reasons appeared to me so good and just that I was obliged to acquiesce in them, and I send this Letter by Express, to prevent as much as possible any dissapointment that might result from this alteration. I hope you will receive it in time to prevent your Commissioners setting out. The Chiefs have appointed the 10th of May next for meeting your Commissioners at Chiswells Mine, which I hope will prove agreeable and their reasons for altering their Time satisfactory to You.

I reproach'd the Cherokees severely with the Murther of five Emigrants from your Province, who were going to the Mississippi, which was committed in Summer last.⁵⁸ They confess'd it, and said the perpetrators were a party of Chilhowie people,⁵⁹ who urged in their own defence, that their Relations had been killed in Augusta County in your Province

in 1765, for which they had never received any satisfaction, although repeated promises had been made, either of putting the guilty persons to death, or making a Compensation in Goods from your province, which they believed, because I had confirmed them. That they nevertheless were disappointed and being tired with waiting took that satisfaction, which they cou'd not obtain from our Justice. All the Warriors declared that they disapprov'd of the Action, but that the Chilhowie people were authorized by the custom of their Country, to act as they did, and their plea of never having received any satisfaction was undeniable. That in any other Instance nothing shou'd prevent their executing strict Justice on Offenders according to Treaties. It is not only extremely disagreeable to myself but very detrimental to His Majesty's Service to be obliged to fail in any promise I make to Indians. The Compensation of 500 Indian dress'd Deer Skins value in goods for every person murder'd, which on the faith of Governor Fauquier's repeated letters,⁶⁰ I engaged they shoud receive early in the Spring, was extremely moderate, and this you will acknowledge, if you compare it with the sum expended by the Province of Pensylvania, on a late similar occasion,⁶¹ and I must Confess that this disappointment will render me extremely Cautious in making promises on any future Occasion.

I am to meet the Chiefs of the Upper and Lower Creek Nations⁶² at Silver Bluff⁶³ on Savannah River the 1st November to ratify the Cessions to His Majesty in the two

Floridas and Georgia⁶⁴ and Expect to be at Charles Town by the Time the Bearer⁶⁵ can return there. I have the Honour of being very Respectfully

Sir Your most Obedient and very Humble Servant

John Stuart

P: S: I have agreed to pay the Bearer Samuel Stairacre 22 Pistoles.

Enclosure 2: Lord Botetourt to John Stuart, 6 November 1768⁶⁶

Williamsburg, 6 November 1768

Your letter to Mr. President Blair has been consider'd in Council, and by their advice I have acquainted Colonel Andrew Lewis⁶⁷ that the meeting of the Cherokees at Chiswells Mine is postponed to the 10th of May. I am likewise to inform you that the goods intended for the Cherokees as a Compensation for the Murther of their Relations, have been actually sent to Bedford,⁶⁸ and that our Commissioners are instructed to consult Mr. Cameron⁶⁹ in regard to the most proper time, place, and manner of distributing them. We grieve at the effect of the late delay and for the future will be punctual to the greatest exactness.

Enclosure 3: Lord Botetourt to Colonel Andrew Lewis, 6November 1768

Williamsburg, 6 November 1768

Mr. Stuart having by express dated Hard Labour 17th of October and received Yestarday, informed Mr. President Blair that the meeting which was to have been held the 10th of November is now at the prayer of the Indians postponed to the 10th of May, I do by advice of the Council acquaint you with this change of measures, and at the same time beg that you proceed to Mr. Calloway,⁷⁰ and direct that he take due care of the goods and presents he is intrusted with, till the arrival of the Commissioners, when he is exactly to follow the direction he has already received.

[P.S.] Least it shou'd be inconvenient to you to go to Mr. Calloway I have by the Bearer⁷¹ desired him to take due care of every thing under his Custody till the arrival of the Commissioners.

Enclosure 4: Lord Botetourt to Mr. Callaway, 6 November 1768

Williamsburg, 6 November 1768

Mr. Stuart having by express acquainted Mr. President Blair that the meeting which was to have been held the 10th of November, is at the prayer of the Indians postponed to the 10th of May, I do by advice of the Council desire you to

take due care of the goods and presents you are intrusted with, till the Arrival of the Commissioners in May, when you are exactly to follow the directions You have already receiv'd.

Enclosure 5: Lord Botetourt to Israel Christian,⁷² 6 November 1768

Williamsburg, 6 November 1768

Mr. President Blair having been informed by express from Mr. Stuart, that the meeting which was to have been held the 10th of November, is now at the prayer of the Indians postponed to the 10th of May. I do by advice of the Council desire you to dispose of, to the best advantage, all the perishable provisions, you have procured by their order for that meeting, and at a proper time to provide other fresh Provisions for the same purpose and to take special care that they be convey'd to Criswells Mine before the 10th of May. You may depend upon being reimbursed every reasonable expence you shall be put to upon this occasion.

Enclosure 6: The Address of the Gentlemen of the Bar Belonging to the General Court of Virginia and Lord Botetourt's Answer, Undated⁷³

To his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governour General of the Colony and Dominion of Virginia and Vice Admiral of

the same.

The Address of the Gentlemen of the Bar belonging to the General Court of this Colony.

May it please your Excellency

We his Majesty's most dutiful and affectionate Subjects, the Practitioners of the Law, attending the Supreme Court of Judicature in this Colony, beg Leave with all Humility, to approach your Lordships Person, and to express, the Satisfaction we enjoy, in seeing your Lordship fixed, in that important Station, in which our most gracious Sovereign has thought proper to place you.

To inspect minutely the various Branches of Government, to strengthen the enervated, and to cherish those Parts which are advancing to Maturity; and in Fine, to preserve the whole within their proper Boundaries, is a Task, My Lord, confessedly arduous; But your Lordships Attention to public Business, the Dawn of which we have with Pleasure view'd, and cannot doubt its Permanence, the Wisdom of your Councils, and the weight of your distinguished Character, will render the Work, as easy to yourself, as the Accomplishment of it will be happy to the People under it's Influence.

The short Experience we have had, of your Lordships Disinterestedness and Patience, in the Discussion of Controversies, in that Court, where you most eminently preside, afford us a lively Presage, that Justice and Rectitude, will continue to be, the Basis of our judicial

Determinations.

Permit Us my Lord, to request your Countenance and Protection so long as we Continue to merit your Esteem; and to assure your Lordship, that Nothing shall be wanting on our Parts, to render you as happy, as we are fully persuaded, we ourselves shall be, under your benign and propitious Administration.

Lord Botetourts Answer

Gentlemen

This very flattering mark of approbation with which you kindly honour me is the clearest proof of the effect of good intentions. You see I mean well, and are therefore willing to give me credit for all that is to come. It shall be my part to endeavour to deserve your confidence, and to improve by your Ability. Nothing will please me better than the having frequent opportunities of giving you marks of my regard.

Enclosure 7: The Account of the Revenue from Tobacco, 25 April
1768 to 25 October 1769⁷⁴

The Account of his Majesty's Revenue of 2s. Per Hoghshead &c. Arising within this Colony of Virginia from the 25th of April 1768 to the 25th of October 1768.

The Receiver General⁷⁵ doth Charge himself with the Receipt of the said Revenue as follows.

To Balance of the last Account	£	967.	1.	5
The Account of the Upper District of James River ⁷⁶		1128.	9.	8
The Account of the Lower District of James River		427.	11.	6
The Account of the District of York River		573.	11.	4
The Account of the District of Rappahannock River		712.	16.	11
The Account of the District of South Potomack		486.	15.	--
The Account of the Port of Accomack				
The Account of Sundry Rights of Land Sold ⁷⁷		160.	6.	--
The Account of Fines and Forfeitures ⁷⁸		59.	--	10
	£	4515.	12.	8

The Receiver General doth Discharge himself By the Payment of the following Sums.

By a Warrant for half a Years Salary to the Governor	£	1000.	--	--
By a Warrant for Ditto to the Gentlemen of the Council		600.	--	--
By a Warrant to the Judges and other Officers of a Court of Oyer & Terminer ⁷⁹		100.	--	--
By a Warrant to the Honourable & Reverend Robert Cholmondeley ⁸⁰ Auditor of the Plantations for half a Years Salary		50.	--	--
By a Warrant to James Abercrombie ⁸¹ Esqr. Solicitor of the Virginia Affairs for Ditto		100.	--	--
By a Warrant to John Randolph ⁸² Esqr. his Majesty's Attorney General for Ditto		35.	--	--
By a Warrant to Nathaniel Walthoe ⁸³ Esqr. Clerk of the Council for Ditto		75.	--	--
By a Warrant to the Adjutants ⁸⁴ for half a Years Salary		160.	--	--
By a Warrant to James Anderson ⁸⁵ Armourer for Ditto		6.	--	--
By a Warrant to the Gunners of the Batteries ⁸⁶ for Ditto		12.	10.	--
By a Warrant to the Ministers attending one General Court ⁸⁷		8.	--	--
By a Warrant for Repairs done to the Governors House		91.	12.	--
By a Warrant for Contingent Charges		979.	17.	5
By Allowance of 1/2 Per Cent on £2726.11.10 for Negotiating the same in Bills of Exchange in London		13.	12.	8
By Allowance to the Auditor at 5 Per Cent on £3548.11.3		177.	8.	7
By Allowance to the Receiver General on the same Sum		177.	8.	7

So that the Sum Disburst amounts to £ 3586. 9. 3
 And there will remain due to Balance this account 929. 3. 5
 Rd. Corbin D.R.G. £ 4515. 12. 8

I have Examined the within Account of his Majesty's Revenue Commencing the 25th of April 1768 and ending the 25th of October following and have Compared every Article with its proper Voucher produced by Richard Corbin Esqr. Receiver General and find the same truly Stated, and that there is due to his Majesty's Revenue for Balance thereof nine hundred twenty nine Pounds three Shillings and five Pence Sterling.

John Blair⁸⁸ D. Audr.

November 4th, 1768

The within Account Compared and Examined by John Blair Esqr. Deputy Auditor was produced to me in Council and Sworn to by Richard Corbin Esqr. Receiver General.

Botetourt

TO THE EARL OF HILLSBOROUGH, 24 NOVEMBER 1768⁸⁹

No. 5

Williamsburg, 24 November 1768

I have by Proclamation ordered the Assembly to meet for the Dispatch of business on Monday the eighth of next May, as I understand from the Council that that time will be generally approved, and am myself of opinion that it will be the fittest for promoting those measures to which by His Majesty's Instructions my attention is particularly directed.⁹⁰ Inclosed is a Petition from John Henry⁹¹ who prays for a gratuity for having made out an accurate Map of this Colony, which was transmitted to Your Lordship in last

July. It is here generally thought to be well done. I have likewise sent: proceedings of the Council, a Journal of the House of Burgesses and the Acts of the last Session, together with the Naval Officers returns of Vessels Entered and Cleared from the several Districts,⁹² and Addresses from the Borough of Norfolk and Body of Quakers, with triplicate of No. 4.⁹³ The whole is packed in a Box and trusted to the care of Captain Barron,⁹⁴ to whom this letter is delivered.

Since I wrote the above have received the inclosed answers to the Expresses I sent off the 6th Instant.

Enclosure 1: The Petition of John Henry, Undated⁹⁵

To His Excellency the Right Honourable Norborne Baron de Botetourt, His Majesty's Lieutenant & Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the Same.

John Henry

Humbly sheweth

That he has, with great pains, & at a very considerable expence, made out an accurate Map of this Colony, which he transmitted to London last July, to get it printed, & which, he flatters himself, will be well receiv'd.

But for as much as the House of Burgesses, upon your petitioner's application to it for assistance in carrying on the said Work, did not think proper to contribute any thing for that purpose, he humbly conceives, that if your Lordship would be pleased to represent the matter to the Ministry in

Great Britain, he might probably receive a gratuity from the Government, as the work is of publick utility, & the first of the kind that has been attempted on this Continent.

Your Petitioner is the more encouraged in this application, as the most eminent members of this Community not only approv'd of the Work, when almost finish'd, but contributed largely thereto.

He therefore humbly prays, that your Lordship will be pleased to represent the matter to such of the Ministry as you shall judge proper, in such a favourable light, as that your petitioner may have a probable chance to succeed, in a matter of so much importance to him.

And he shall pray &c.

Enclosure 2: Address of the Borough of Norfolk and Lord Botetourt's Answer, Undated⁹⁶

To his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia and Vice Admiral of the same

May it please your Excellency

We the Mayor, Recorder, Aldermen and Common Council of the Borough of Norfolk,⁹⁷ with truth and real pleasure, offer our sincere congratulations to Your Excellency upon your safe arrival into this Colony, and we esteem ourselves happy on this occasion to assure Your Excellency of our Loyal and

firm attachment to His Majesty's Royal Person and Government.

Permit us to assure Your Lordship that it will ever give this Corporation unfeigned Satisfaction to see You truly happy in Your Administration, which, from your amiable and excellent character, We have pleasing hopes of, and to effect which, shall be our constant aim and Study.

This infant Borough, entirely supported by Commerce, with all humility, craves Your Lordships Patronage.

Lord Botetourt's Answer.

Gentlemen

I am much obliged by Your kind congratulation upon my arrival in Virginia and am well convinced of your firm attachment to our most Gracious Sovereign.

It shall be my object to attend to every Circumstance which can in any degree contribute to the advantage, and prosperity of this His Majesty's Antient and Loyal Colony, and I do assure You, that I shall reckon myself Compleatly happy, if after a fair trial, I have the good fortune to be generally approved.

Enclosure 3: Address of the Quakers and Lord Botetourt's Answer, Undated⁹⁸

To Norborne Berkeley Governor of the Colony and Dominion of Virginia.

The humble Address of the People called Quakers.

May it please the Governor

We beg leave in an honest simplicity to congratulate thee on thy safe arrival in this Government, and we hope our peaceable behaviour and Submission to those in Authority will manifest our duty and affection, and contribute towards rendering thy Administration easy and agreeable.

Permit us on this occasion to assert our Loyalty and firm Attachment to King George the Third, and his illustrious House. The particular Indulgence and Protection we have enjoyed under his Reign, and those of his Predecessors in the free exercise of our Religion, deeply impress our minds with the warmest sense of duty and gratitude.

Although we differ in Sentiments and Conduct from others of our fellow Subjects; we embrace this opportunity to crave thy favour, and to assure thee that our dissent proceeds not from any disregard to Laws or Custom, but from motives to us purely conscientious, and tho' some of our religious Tenets have frequently exposed us to sufferings, yet, we have thankfully to acknowledge the great Privilege lately granted to our Society in this Province,⁹⁹ and we hope to merit the continuance thereof by behaving as becomes faithfull Subjects.

Thy Rank and Station in Life places thee in a more conspicuous point of view than most of thy predecessors, consequently more will be expected from thee, and we ardently desire that almighty God may endue thee with wisdom and qualify thee for every exigency, and that thou may be instrumental in promoting Virtue, and suppressing Vice and

Immorality, which will make thy Administration happy to the Inhabitants of this Colony and Honourable to thyself.

Lord Botetourts Answer.

Gentlemen

I accept with thankfulness your very friendly Address, and am well pleased with the Stile in which You assert Your Loyalty Gratitude and firm attachment to my Royal Master and His Illustrious House. You may depend upon the free exercise of Your Religion being continued to You, together with that regard and protection, to which a peaceable behaviour and Submission to those in Authority will for ever entitle You.

I feel the force of your Observation upon the high rank in which His Majesty has been pleased to place me, and will endeavour to act in it upon all occasions in the best manner I am able.

Enclosure 4: Answers Received by Lord Botetourt 25 November 1768 to His Expresses of 6 November 1768¹⁰⁰

My Lord

Chiswells Mines, 14 November 1768

By Your Lordship's Express last night I had the first advice of Your Lordship's Arrival in your Government. I beg leave to congratulate You on this event, praying it may be propitious to Your Lordship as well as to the People over whom it has pleased our Gracious Sovereign to appoint You to

preside. After a most fatiguing Journey of near nine Hundred Miles performed in about seventeen days, I arrived at this place on the second of this instant, as near the time first appointed as I could accomplish, and by His Honour the President, was advised the Congress was put off till the 10th. I applied myself to the necessary preparations for this Event till I was honour'd with Your Lordship's Instructions, and though my conduct in this Matter has been as parsimonious as the nature of such an affair would permit, it has been attended with expence, Estimates of which I shall have prepared to lay before Your Lordship as soon as possible. In conformity to Your Lordship's order I shall give such directions to the person appointed to provide provision as will be most likely to prevent loss to the Government. The Goods were not come up and Colonel Callaway has Your Lordships orders to detain or take care of them till further orders.

One thing more I beg leave to mention; by the Honourable the Presidents orders to Dr. Walker¹⁰¹ and myself, I had agreed with Captain Engles¹⁰² to provide necessary Provisions &c. for running such lines as might be agreed on at the Congress; this Provision is partly made and will be in readiness in the Spring, if wanted on such an Occasion, Captain Christian¹⁰³ in the mean time will provide provision for the Entertainment of the Indians at the approaching Congress. I shall do myself the honour of waiting on Your

Lordship next Month

I am

Your Lordship's most Obedient and
Very Humble Servant

Andw. Lewis

Received the 10th November 1768 of Matthew Ashby: The Governor's
letter relating to the Goods for the Cherokee Indians.

Wm. Callaway

May it please Your Lordship Chiswells Mine, 14 November 1768

Soon after my Father Mr. Israel Christian received His
Honour the Presidents letter to provide Provisions for the
Indians, he appointed me to transact the business, accordingly
I made the preparations and have attended here since the 8th
Instant. Yesterday Evening I received Your Lordships orders
directed to my Father to dispose of the perishable Provisions,
and to provide more before the 10th of May next. I will
immediately put off the provisions on hand on the best terms
possible. And Your Lordship may be assured that I will have
all that will be wanting ready at the Mines before the time
appointed, And that the Indians shall have no reason to
complain on that account. I am with due deference, Your
Lordship's most Obedient Servant

William Christian

TO THE EARL OF HILLSBOROUGH, 20 DECEMBER 1768¹⁰⁴

No. 6

Williamsburg, 20 December 1768

I have inclosed the report made to me by the Commissioners appointed by Mr. President Blair last July to attend at the Conferences to be held at Fort Stanwix¹⁰⁵ and Chiswells Mines, the Minutes taken by our Clerk¹⁰⁶ at Fort Stanwix and the Treaty which was there agreed upon betwixt Sir William Johnson,¹⁰⁷ the several attending parties and the Indians. From all of which I hope your Lordship will see the absolute necessity of the resolutions since come to by the Governor and Council of this Province, a Copy of which I have likewise inclosed together with my letter to Mr. Stuart and Instructions to Col. Lewis and Dr. Walker in which I was assisted, by a Committee of Council.

Had we without further conference with Mr. Stuart resolved to agree next May at Chiswells Mines to the Line agreed to by that Superintendant, we shoud have given up to the Cherokees a very large tract of Country which has lately been purchased for us by His Majesty at Fort Stanwix and to which I am informed those Indians have never laid claim, shoud have abandon'd a numerous body of settlers who settled in consequence of Acts of Assembly passed in 1752 and 53¹⁰⁸ and approved of by his late Majesty, shoud have offended the Northern Indians and greatly increased the difficulty of purchasing those lands from the Cherokees which are by all admitted to belong to them.

Your Lordship has now fully before You the reasons upon which we have proceeded, and if they have the same effect upon His Majesty and his Council as they have had upon me, Mr. Stuart will immediately be enabled to compleat with the Cherokees what Sir William Johnson has so happily begun at Fort Stanwix.

Shoud I be deemed presumptuous in that part of my Instructions in which I express hopes of prevailing with His Majestys Ministers to enable Mr. Stuart to act for this Province as Sir William Johnson has done for the Northern Colonies, there is no penalty to which I will not most chearfully submit, as I shall for ever rejoice in the Motives which have induced me to hold that language and will be answerable with my life and fortune for every step I shall take whilst I have the honour to hold His Majesty's Commission.

Have just received the inclosed letter from the Attorney General and can truly say from every thing I have heard both from him and of him that there is not a man in the whole Colony in my opinion more fit than himself for the Offices he holds. You will find in this Packet the Quit rent account for the Year 1767, with a Map¹⁰⁹ of the lands purchased at Fort Stanwix and those which remain to be purchased of the Cherokees in order to secure peace betwixt them and us to all eternity.

Enclosure 1: Report of the Commissioners Lewis and Walker to
Lord Botetourt, 14 December 1768¹¹⁰

William'sburg 14 December 1768

To his Excellency the right Honorable Baron de Botetourt his
Majesty's Lieutenant & Governor General of the Colony &
Dominion of Virginia

Right Honorable Sir

In Obedience to Commissions & Instructions by us received
from the Honorable John Blair Esqr. President of Virginia, we
began our Journey to Shamokin¹¹¹ on the sixteenth day of July.
When we got there & found that there was no provision making
for a Congress with the Indians & that no Person in that part
of Pennsylvania had heard that any such thing was intended,
we sent an Express to Sir William Johnson his Majesty's
Superintendent of Indian Affairs in the Northern Department
& continued on the Frontiers of Pennsylvania in suspence
untill the 18th of August in the Evening, when we received a
Letter from Mr. Alexander Mckee¹¹² one of Sir William
Johnson's Deputys, informing us that a Congress was to be
opened at Fort Stanwix on the first of September & that we
must repair to Johnson Hall¹¹³ where we should receive
further Information, which we did with all possible dispatch.
On our geting to Johnson hall which was on the 27th of
August, Sir William told us that the Indians would be assembled
by the 20th of September whereupon we waited at a dirty

Tavern near the Hall the 14th from thence proceeded to Fort Stanwix where we arrived on the 17th & waited for the Indians till the 12th of October. The Time appointed for holding a Congress with the Cherokees being then so near as the 25th of October & the Distance from Fort Stanwix about nine hundred Miles, it was thought expedient by Sir William Johnson & both of us that one of us should continue at Fort Stanwix & the other attend at Chiswell's Mines in Consequence whereof one of us immediately set off for that Quarter. The Indians were not convened so as to proceed to business untill the 23d of October & on the 24th the Congress was opened, in which after much debate & many Difficultys the six united nations of Indians¹¹⁴ on the 5th of November executed a Deed of Cession to his Majesty for a large Tract of Country lying west of Virginia Pennsylvania & New York, the Bounds of which will more fully appear by the Map & Deed herewith delivered.

Sir William Johnson for the better satisfaction of Your Excellency, was applied to for permission to take a Copy of the Minutes during the Congress which he refused, alledging that the Ministry had ordered that no Minutes taken by him should be made public untill they had first had Copys, but that he would give us certified Copys of all that was needfull for us. As we expected some of those Minutes might be absolutely necessary for explaining the Execution of our Office & that Sir William might not have Leisure to copy them, The Person appointed to act as Clerk to us attended

constantly at the Council house & while the Council sat took minutes which are as near the Truth as we could come. After the Business was nearly concluded Sir William was applied to for the Copys promised or a Letter, both of which he promised, but at length found himself so hurried & fateagued that neither could be had: On parting with him he promised to write & send all such Copys as he thought necessary, & till he does that we can only give Your Lordship a Copy of the Proceedings procured as above mentioned. We are

Your Lordship's
Most obedient & very humble Servants

Thomas Walker
Andw. Lewis

Enclosure 2: Minutes of Proceedings at Fort Stanwix, Undated¹¹⁵

At a general Congress with the six united Nations & their Allies opened the 24th of October 1768 at Fort Stanwix. Present Sir William Johnson Superintendant, Governor Franklin¹¹⁶ of New Jersey, Doctor Thos. Walker Commissioner from Virginia, Messrs. Richd. Peters¹¹⁷ & James Tilghman¹¹⁸ Deputys from Pennsylvania with about thirty other Gentlemen & upwards of three thousand Indians.

Sir William thro' Abraham¹¹⁹ the Mohock speaker addressed them to the following purpose.

Bretheren, I take You by the hand & heartily welcome You to this new Council Fire just kindled on this Occasion. I

with the Governors of New Jersey & Pennsylvania & the Commissioners from Virginia &c have now been waiting here in expectation of You for more than five weeks on Business of the utmost importance. Governor Penn¹²⁰ stayed here a long time, but his Business requiring his Attendance at home, he has left those Gentlemen, (pointing to the Pennsylvania Deputys) to transact his Business for him. I hope you will give the several Matters now to be laid before You the dispatch they require & first I proceed to condole with You the loss of Your deceas'd Friends our Bretheren after the ancient Custom of Your Forefathers.

A String of Wampum & the usual sign of Approbation Yo-ha.

After making a Speech to each Nation distinctly, welcoming them, & presenting a Belt to the Chief of each; he then by Means of the Onondago Speaker proceeded to the Ceremony of Condolance the whole Audience siting very grave & attentive.

The remainder of this Day was taken up with the Condolance, which consisted of nine Speeches with as many Belts & Yo-has.

25th: The same Company being assembled by a Messenger from the Indians Conahquieso¹²¹ the Chief of the Onidos observing that Governor Franklin was the only Governor of his acquaintance who had not an Indian Name, he therefore complimented him with his own Name; on which the Governor returned thanks & shook the Chiefs by the hand.

They next thanked Sir William for having observed the Cerimony of Condolance religiously handed down to them by their Ancestors Time immemorial & repeating every thing which had been said to them on the Subject the Day before made the same number of speeches to the same purport.

Thus ended the Cerimony of Condolance, without having first performed which they never engage in any Business of Consequence & which at the Instance of Sir William on account of the scarcity of Provisions, was abridged several Days.

Sir William then recommended Dispatch to them in the Business on hand telling them that he should expect them to meet him early the next Morning. To which they gave the Yo-ha & so the Congress of this day ended.

26th: The same Company being assembled Conahquieso got up & turning himself towards Governor Franklin said. Seeing you were the only Governor who had met us in Council without an Indian Name; I yesterday took upon me to give You my Name, which I intended as a Compliment for I have been a Great Warrior, but finding that the other Indians are of Opinion I have been rather too hasty in proceeding to this Ceremony without consulting them I do now revoke that Name.

As you have always had the strictest regard to Justice in redressing any grievances committed by your People against us, I do now with the Consent of all our Sachems confer on you the Name of Sagouriwhiyoughata, which is a lover of Justice.

Sir William then addressed them to the following purpose.

Bretheren, having mutually performed the Cerimony of Condolance according to the ancient Custom of our Forefathers & lamented the Deaths of our Friends on both sides; I do now with this Belt (taking up a fine belt representing two men standing hand in hand) brighten the Chain of Friendship so long subsisting between us; with it I rub off any Rust that the Chain may have contracted & begg that You will hold fast by one end of it as long as the Grass continues to grow or the waters to run.

He then presented that belt, & taking up another at each end of which there was the Representation of a hand, said, Bretheren, with this Belt I clear the Brush & Rubbish out of our Paths & the Loggs out of our Rivers that our People may have free & easie access to each other both by Land & by Water by Day & by Night & I begg that You with all Your Confederates will join heartily with me in promoting this good work. After some more remarks of the same Nature he presented that Belt.

He next took up a fine new Belt representing two Men at a Distance holding the two ends of an extended Line and said.

Bretheren, hearken with attention to what I am going to say, 'tis a good Speach & will be beneficial to our Posterity yet unborn. You may remember that about three Years ago I had some Conversation with You concerning a Boundary Line betwixt us,¹²² you appeared at that time desirous that such

a thing should take Place: I communicated this Proposal to our common Father the King of Great Britain who approved of it & has now authorised me with the Advice of Your Brothers Assaragoa¹²³ & Onas¹²⁴ whose Representatives are now present, finally to settle this important Affair. There are Boundaries betwixt Colony & Colony thro'out the whole Continent but none between the white People & You which has been the cause of frequent Encroachments on You; by this means that Inconvenience will be remedied & You will be more closely connected with us, who can on easie Terms supply all Your Wants. Commissioners are assembled from the distant Colonys that this important Affair may have the sanction it requires & that it may be made known as far as the British Name extends. His Majesty has enabled me to give You a handsome Present, which will be proportioned to the nature of the Cession on your part.

A Belt

Bretheren, I am unwilling to burthen your Minds with too much at once; this is a matter of the utmost consequence to you & therefore I am willing to allow you Time for mature Deliberation on it. After you have considered it I hope you will be chearful & unanimous in your Answer.

The Chiefs of the several Tribes consulted together, after which Abraham the Mohock answered as follows.

Brother, I remember that about three Years ago we had some Conversation about a Boundary Line. It is a Matter of the greatest Moment & what is done can not be undone;

therefore we are obliged to you for allowing us time to deliberate on it. Thus concluded the Congress of this Day.

27th: The Indians had great Debates amongst themselves, but not coming to any Conclusion we had no Conference with them.

28th: Continual Councils both by Day & night but no Conclusion. 29th: the same. 30th: Such Divisions amongst themselves that they almost quarreled. 31st: The same.
November the 1st:

Having come to a Conclusion on the Subject in hand & summoning a Congress; Abraham took up the Covenant Chain Belt which Sir William had presented them at the last meeting & enumerating after their Custom all which had been said on that Occasion; then took up another Belt & after expressing his Joy on this renewal of our Friendship in a long Speech gave his Belt in exchange.

He next took up the Belt with which Sir William had cleared the Rivers Roads &c & repeating what had been said on that head; He took up a Belt of his own & said.

Brother, I rejoice that the Roads Rivers &c are now opened in such manner that there are no Obstructions. The English used to tell us during the last War, that after the French in Canada were conquered & the English had possession of that Country, we might for a small Bundle of skins have as many Goods as we could carry. Canada is now conquered & the English have possession of it, but we have not yet seen

those things come to pass. Now that we have complied with all his Majesty's demands & you are coming to be such near Neighbours I hope we shall soon see that happy time.

A Belt

Brother, We have long considered this proposal for a Boundary between us & we think it will be of good Consequence if you on your parts pay due Regard to it. We have in consequence thereof had sundry Meetings amongst ourselves & with you & from all that you have said to us thereon, have at length come to a final Resolution concerning it; & we hope that what is now agreed on will be inviolably observed on your parts as we are determined it shall on ours; & that no further Attempts will be mad on our Lands, But that this Line be considered as final. We do now agree to the Line we have marked on your Map now before you, On Conditions on which we have spoken & shall say no more & we desire, that, One Article of this our agreement be, that no Province or People shall attempt to invade it under Colour of any old Deeds or any Pretences whatsoever; for in many of these things we have been greatly imposed on & therefore we disclaim them all. Which Bounds now agreed to, we begin at the mouth of the Cherrokee or Hogohege River,¹²⁵ which is our just Right, & from thence we give up on the south side of Ohio to Kittanning¹²⁶ above Fort Pitt, thence a direct Line to the nearest Fork of the west Branch of Susquehannah,¹²⁷ thence thro' the Alegany Mountains¹²⁸ along the south side of the

said west Branch untill we come opposite to the mouth of a Creek called Tidaghton,¹²⁹ Thence across the west Branch & along the east side of the said Creek & along the Ridge of Burnett's Hills¹³⁰ to a Creek called Awandāe,¹³¹ thence down the same to the east Branch of Susquehannah & across the same & up the east side of that River to Owegy,¹³² from thence eastward to Delaware River¹³³ & up that River to opposite to where Tianaderha¹³⁴ falls into Susquehannah, thence to Tianaderha & up the west side thereof & it's west Branch to the head thereof,¹³⁵ thence by a strait line to the Mouth of Canada Creek,¹³⁶ where it emptys into the Wood Creek at the end of the long Carrying Place beyond Fort Stanwix. And this we declare to be our final Resolution & we expect that all the Conditions of this our Grant will be observed.

A Belt

Brother, We now tell the great King of England, that we have given to him a great & valuable Country & we know that what we shall now get for it must be far short of it's Value: We make it a Condition of this our Agreement concerning the Line, that his Majesty will not forget to shew us Favours & that all Grants or Engagements which the Mohocks have lately entered into shall be considered as their sole Property & at their Disposal both now & forever independant of this Boundary &c also that there Castles & the Lands adjoining may be secured to them.

A Belt

Brother, We likewise desire, that as we have now given up a great Tract within the Bounds that Mr. Penn claimed a Right of buying; that he may in consequence of the Agreement now entered into between us, enjoy what we have given within those Limits & as we know, that Lydias¹³⁷ of Albany did in the name of several Persons lay Claim to Lands in Pennsylvania which we know to be unjust & that the Deeds which he pretends a Right to were a great Fraud we expect no Regard will be paid to them. And in order to shew that we can do justice, we do expect & make it a Condition of our settling the Bondary, that the Traders who suffered by some of our Deputys five years ago,¹³⁸ may have a Grant for the Lands we now give them down the Ohio, as a Satisfaction for their Losses. And as our Friend Mr. Croghan,¹³⁹ long ago got a Deed for Lands from us, which may now be taken into Mr. Penns Lands; should it so happen we desire that he may be considered any yet as much Land some where else as he fairly bought it. As we have given enough to shew our Love for the King & make his People easie, we in the next Place expect that no old Claims or new Incroachments be allowed.

Brother, We have gone thro' this Matter & we have shown ourselves ready to give to the King whatever we could reasonably. We on our Parts express our Regard for him & hope for his Favor in Return. Our words are strong & our Resolutions firm, & we do expect that all our Requests will

be complied with, inasmuch as we have so generously complied with all that has been desired of us.

A Belt

November 3d: Sir William answered.

Bretheren, as to the several Reservations you make in your Cession to the King & the other points you recommen[d?], You may be assured, that his Majesty shall be made acquainted with them, as I shall transmit to him a Copy of our Transactions at this Place & I may venture to assure You that they will meet with all possible Regard from a Prince of his Clemency & Justice, & now I give you this Belt to strengthen ratify & confirm the Boundary & all Transactions necessary thereto.

A Belt

Bretheren, the Speach which You particularly addressed to his Majesty shall be faithfully transmitted to him with the rest of Your Proceedings. I have attended to the whole of it & I persuade myself that every article will be taken proper Notice of & that he will take such Measures as to him shall seem best for your Benefit & for the rendering You Justice. I likewise consider Your good Intentions towards the Traders who sustained the Losses & Your Desire to fulfill all Your Engagements as Instances of Your Integrity.

A Belt

Sir William then addressed the Governor and Commissioners present [thus?]

Gentlemen, Agreeable to his Majesty's Intentions signified

to me by the Secretary of State & for the Satisfaction of the several Nations here assembled I take the Liberty to recommend it strongly to your several Provinces to enact the most effectual Laws for the due observance of this Line & the preventing all future Intrusions as the Expectation thereof & the Reliance the Indians have on your Justice from the Assurances I gave them on that have proved great Inducements to the Settlement of the Line now established between the Colonys & them.

To this the Governor & Commissioners answered that Nothing should be wanting on their Parts to the obtaining such security for the Boundary as was deemed necessary.

November 4th: There was no meeting.

5th: The goods & Dollars to the amount of ten thousand four hundred & sixty pounds seven shillings & three pence Sterling being laid out in great form in the Parade of the Fort & the Deed prepared for signing. Sir William gave them several pieces of Advice, Such as to pay no Regard to the Idle Tales of the French who were Enemy's to the British Interest & therefore used many Artifices to alienate their Affections from us. Also to continue to reside in as compact a manner as possible & not to emigrate to different parts of the World at a considerable Distance for that by that means they would continually grow less & less respectable with some other things of the like Nature. For which the Indians thanked him & then signed the Deed which was as follows.

Enclosure 3: The Treaty of Fort Stanwix, 5 November 1768¹⁴⁰

To all to whom these Presents shall come or may concern we the Sachems & Chiefs of the six confederate Nations & of the Shawanese¹⁴¹ Delawares¹⁴² Mingoes¹⁴³ of Ohio & other dependant Tribes on behalf of ourselves & of the rest of our several Nations, the Chiefs & Warriors of whom are now here convened by Sir William Johnson Baronet his Majesty's Superintendant of our Affairs send greeting. Whereas his Majesty was graciously pleased to propose to us in the year 1765 that a Boundary Line should be fixed between the English & us to ascertain & establish our Limits, & prevent those Intrusions & Encroachments of which we had so long & loudly complained & to put a stop to the many fraudulent Advantages which had been so often taken of us in Land Affairs, which Boundary appearing to us a wise & good Measure, we did then agree to a part of a Line, & promised to settle the whole finally whensoever Sir William Johnson should be fully impowered to treat with us for that Purpose. And whereas his said Majesty has at length given Sir William Johnson Orders to compleat the said Boundary Line betwen the Provinces & Indians in Conformity to which Orders Sir William Johnson has convened the Chiefs & Warriors of our respective Nations, who are the true & absolute Proprietors of the Lands in question & who are here now to a very considerable number, & whereas many uneasinesses & Doubts have arisen amongst us which have given rise to an Apprehension that the Line may

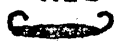
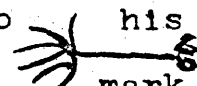


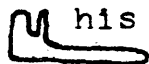

not be strictly observed on the part of the English, in which case Matters may be worse than before, which Apprehension together with the dependant state of some of our Tribes & other Circumstances which retarded the Settlement & became the Subject of some Debate Sir William Johnson has at length so far satisfied us upon as to induce us to come to an Agreement concerning the Line which is now brought to conclusion, the whole being fully explained to us in a large Assembly of our People before Sir William Johnson & in the Presence of his Excellency the Governor of New Jersey, the Commissioners from the Provinces of Virginia & Pennsylvania, & sundry other Gentlemen; by which Line so agreed upon a considerable Tract of Country along several Provinces is by us ceded to his said Majesty, which we are induced to & do hereby ratify & confirm to his said Majesty from the Expectation & Confidence we place in his royal Goodness that he will graciously comply with our humble Requests as the same are expressed in the Speech of the several Nations addressed to his Majesty thro' Sir William Johnson on Tuesday the first Day of the present Month of November wherein we have declared our Expectations of the Continuance of his Majesty's Favor, & our Desire that our ancient Engagements be observed & our Affairs attended to by the Officer who has the Management thereof, enabling him to discharge all these Matters properly for our Interest. That the Lands occupied by the Mohocks around their Villages, as well as by any other Nation affected by this our Cession, may effectually remain

to them & to their Posterity & that any Engagements regarding Property which they may now be under, may be prosecuted & our present Grants deemed valid on our parts with the several other humble Requests contained in our said speech. And Whereas at the settleing of the said Line it appeared that the Line described by his Majesty's Order was not extended to the Northward of Owegy, or to the Southward of great Kanhawa River, We have agreed to & continued the Line to the Northward, on a Supposition that it was omitted by reason of our not having come to any Determination concerning its course at the Congress held in 1765 & in as much as the Line to the Northward became the most necessary of any for preventing Encroachments at our very Towns & Residences, & we have given this Line more favourably to Pennsylvania for the Reasons & Considerations mentioned in the Treaty. We have likewise continued it south to Cherrokee River because the same is & we do declare it to be our true Bounds with the Southern Indians & that we have an undoubted Right to the Country as far South as that River which makes our Cession to his Majesty much more advantagious than that proposed. Now therefore know ye that we the Sachems & Chiefs aforementioned, native Indians & Proprietors of the Lands herein after described, for & in behalf of ourselves & the whole of our Confederacy, for the Considerations herein before mentioned, & also for & in Consideration of a valuable Present of the several Articles in Use amongst Indians which together with a large sum of

Money amounts in the whole to the sum of Ten thousand four hundred & sixty Pounds seven Shillings & three Pence sterling to us now delivered & paid by Sir William Johnson Baronet his Majesty's sole Agent & Superintendant of Indian Affairs for the Northern Department of America in the name & on behalf of our Sovereign Lord George the third by the grace of God of great Britain France & Ireland King Defender of the Faith the Receipt whereof we do hereby acknowledge. We the said Indians have for us our heirs & Successors granted bargained sold released & confirmed & by these Presents do grant, bargain, sell, release & confirm unto our said Sovereign Lord King George the third. All That Tract of Land situate in North America at the Back of the British Settlements, bounded by a Line which we have now agreed upon, & do hereby establish as the Boundary between us & the British Colonies in America. Beginning at the mouth of the Cherrokee or Hogohege River where it emptys into the River Ohio, & running from thence upwards along the South side of the said River to Kittanning which is above Fort Pitt, from thence by a direct Line to the nearest Fork of the west Branch of Susquehannah, thence thro' the Alegany Mountains along the south Side of the said west Branch till it comes opposite to the mouth of a Creek called Tiadghton, thence across the west Branch & along the south side of that Creek & along the north side of Burnett's hills to a Creek called Awandæe, thence down the same to the east Branch of Susquehannah & across the same & up the east side

of that River to Owegy, from thence east to Delaware River & up that River to opposite where Tianaderha fall into Susquehannah, thence to Tianaderha & up the west side thereof, & the west side of it's west Branch to the head thereof, & thence by a direct Line to Canada Creek where it emptys into the Wood Creek at the west end of the carrying place beyond Fort Stanwix & extending eastward from every part of the said Line as far as the Lands formerly purchased, so as to comprehend the whole of the Lands between the said Line & the purchased Lands or Settlements, except what is within the Province of Pennsylvania together with the Hereditaments & Appurtenances to the same belonging or appurtaining in the fullest & most ample manner, & all the Estate, Right, Title, Interest, Property, Possession, Benefit, Claim & Demand either in Law or Equity of each & every of us, of, in, or to the same or any part thereof. To have and to hold the whole Lands & Premises hereby granted bargained, sold, released & confirmed as aforesaid with the Hereditaments & Appurtenances thereunto belonging under the Reservations made in the Treaty, unto our said Sovreign Lord King George the third, his Heirs & Successors, to & for his & their own proper use & Behoof forever. In Witness whereof we the Chiefs of the Confederacy have hereunto set our marks & Seals at Fort Stanwix the 5th Day of November 1768 in the 9th Year of his Majesty's Reign.

Signed sealed & delivered }
 in Presence of:

<p>William Franklin Governor N. Jersey Fredk. Smith¹⁴⁴ chief Justice N. Jersey Thos. Walker Commissioner from Virginia</p>	<p>Teyanhasare or Abraham</p>	<p>his  mark</p>	<p>Monock.</p>
<p>Richard Peters } of the Council James Tilghman } of Pennsylvania</p>	<p>Conaquieso</p>	<p>his  mark</p>	<p>Onido.</p>
	<p>Sequaressora¹⁴⁵</p>	<p>his  mark</p>	<p>Tuscarora.</p>
	<p>Bunt or Chenughiata¹⁴⁶</p>	<p>his  mark</p>	<p>Onondago.</p>
	<p>Tagaya¹⁴⁷</p>	<p>his  mark</p>	<p>Cayuga.</p>
	<p>Gostrax¹⁴⁸</p>	<p>his  mark</p>	<p>Senica.</p>

Enclosure 4: Extract from the Minutes of the Council, 16
December 1768¹⁴⁹

The Commissioners having made some remarks which they committed to writing and delivered to the Board upon the Treaty concluded with the six nations, and on the ensuing Congress with the Cherokees the Council having maturely consider'd the same were of opinion that prosecuting that Service in the manner directed by Mr. Stuart and running a boundary line as proposed by him would be highly injurious to this Colony and to the Crown of Great Britain, by giving to the Indians an extensive tract of land, a great part of which, they never had or pretended a right to, but actually disclaim'd; and advised that the said Commissioners should proceed with all possible expedition to South Carolina and represent to Mr. Stuart the important object of a just Boundary to be ascertain'd with the Cherokees in a true and proper light and signify to him that if he adheres to the opinion he has hitherto entertain'd thereof, this Government cannot cooperate in that Service until more explicate instructions shall be obtain'd from his Majesty.

Enclosure 5: Lord Botetourt to Mr. Stuart, 20 December 1768¹⁵⁰

Williamsburg, 20 December 1768

Our Commissioners Colonel Lewis and Dr. Walker having informed me that the Line You have marked out in Your several

Letters as a boundary betwixt the Cherokees and Virginia, will determine a large tract of land to be their property, which Sir William Johnson has purchas'd of the Northern Indians at the late Treaty at Fort Stanwix; I have by advice of the Council directed those Gentlemen personally to confer with You upon that subject, that You may if possible agree together upon a fresh plan which may satisfy the Indians and preserve to this Colony the Lands lately purchased as well as those which were settled before the late war in consequence of encouragement from his late Majesty.

I am likewise to inform You, that upon a report from Colonel Archibald Cary¹⁵¹ that the Goods intended as a Compensation for the Murther'd Indians are much damaged, it is agreed to part with them for what we can get, to desire You and Mr. Cameron to purchase others to the value of £4500 of Dress'd Deerskins, to dispose of them as you shall think best in behalf of this Colony as a satisfaction for the loss of their friends and to say how and where You will be paid.

I heartily pray that success may attend our joint Endeavours and that we may be able to establish such a boundary as may be for the interest of all honest men to preserve, but be that as it may, we shall at least have the Satisfaction of having exerted our utmost in the cause of our Royal Master and his happy People.

Enclosure 6: Lord Botetourt to Andrew Lewis and Thomas Walker, 20 December 1768¹⁵²

Williamsburg, 20 December 1768

As it has been the Opinion of His Majesty's Council upon reading and considering the Papers You have laid before them relative to the Treaty lately held with the six Nations at Fort Stanwix, that You shou'd immediately proceed to Mr. Stuart Superintendant of the Southern District to acquaint him with the result thereof and to represent to him the necessity of a fresh Plan of Operation with respect to the Boundary to be fixed between the Cherokee Indians and His Majesty's Colony of Virginia, it has been thought proper that I shou'd give some Orders and Instructions for the Regulation of your Conduct in this important affair.

You will consider that the principal Object of Your Journey is to convince Mr. Stuart that the Line he proposes to run from Chiswells Mine to the Mouth of the Great Konhaway will so much contract the limits of this Colony as to make it extremely prejudicial to His Majesty's Service as well as injurious to the People who have been encouraged to settle to the Westward of this proposed Boundary.

You will Observe to him that it appears from one of Sir William Johnson's letters to Mr. President Blair dated the 23d of April last,¹⁵³ that he Sir William had orders to consult the Governors upon such Points as might affect their several Provinces and it is presumable that Mr. Stuarts

orders were agreeable to Sir William's tho' no consultation with the Governor of this Colony hath been had upon this Subject nor any opportunity allowed to Virginia to shew their strong Objections to this very limited Boundary.¹⁵⁴

If Virginia had been consulted upon this Line there wou'd have been an opportunity of shewing that the Cherokees have no just Title to the Lands between the supposed Line and the Mouth of the Cherokee River, which in Fact were claim'd and have been sold to His Majesty by the Northern Nations at the late Treaty at Fort Stanwix.

You will observe that what I and the Council have chiefly in View from this Negotiation with Mr. Stuart is to get the Period of meeting the Cherokees upon this business still further protracted so that we may have time fully to state this whole matter to His Majesty and His Ministers in order to get the Boundary extended to the Cherokee River.

Shou'd Mr. Stuart object that he is not furnish'd with money as Sir William Johnson was, You may assure him that it is a part of my plan to implore His Majesty's Ministers to endeavour to assist us in that same manner and that I am not without hopes of Success.

You are likewise to acquaint Mr. Stuart that in consequence of the Promise made by this Government of £4500 of Dress'd Deerskins in goods intended as a Compensation for those Cherokees who lost their lives in Augusta County, Those Goods were actually purchas'd and sent off to be

deliver'd to them at the Congress appointed to be held at
 Chiswells Mines in November last but that as upon Examination,
 several of them are found to be much damaged and impair'd in
 their Value, You are to accept of Mr. Cameron's proposal
 signified to Mr. President Blair in his letter of the 9th
 of June¹⁵⁵ and are to have the proper goods to that amount
 bought of the Gentleman who has offer'd to deliver them at
 Tequich¹⁵⁶ at an advance which Mr. Cameron thought reasonable.
 You are at the same time to procure a sufficient
 quantity of Wampum for Belts &c to be given to the Indians.

As I know You to be perfectly acquainted with the
 business you are going upon, will trouble You with no further
 Instructions, but refer to your judgement and discretion to
 do the best as occasion shall offer. I have not the least
 doubt but that You will give me the earliest Intelligence of
 Your Success during the course of this very material
 transaction.

money as Sir William Johnson was, You may assure him that I

Enclosure 7: John Randolph to Lord Botetourt, 20 December 1768¹⁵⁷

My Lord.

Agreeably to your Desire, to be made acquainted, with the
 several Offices within your Government, I take the Liberty
 to send you a State of those, which I have the Honour to
 hold at this Time, under his Majesty.

I am at Present Judge of the Admiralty.¹⁵⁸ This is a

Court, where Matters of great Importance & Worth are determin'd. The Judge has no Salary annex'd to his Office, but receives five Pounds, for each of the Causes that comes before him, many of which will employ three or four Days of his Time, before a final Determination. His Majesty's Attorney General has immemorially been the Judge of this Court. A Gentleman eminent in the Law, appointed by the Governor on the Recommendation of the Judge, acts as a Prosecutor for the Crown & those who are to share under a Condemnation. We proceed agreeably to the Laws of the Admiralty in England, & our Sentences, if erroneous may be redress'd, by an Appeal. When any Seizure is made, the Prosecutor I have mention'd before, is advis'd with. The Judge never with-holds his Advice from the Officers of the Customs, or others in any Instances, but such as are to be discuss'd publicly before him as Attorney General. I receive from his Majesty, One hundred & fifty Pounds Per Annum, with an addition from the Governor & Council of fifty Pounds Per Year. I am intitled to five Pounds for every Pardon I make out but so few of these Fees are receiv'd, that they are far from being lucrative. If a separation of the Admiralty from the Office of Attorney General is intended, Some alteration must be made, with Respect to the Judges allowance, otherwise few Gentlemen, qualified to hold an Office of so much Consequence, will be inclin'd to accept of it. But whether a Disunion is necessary or not, is left with your Lordship to recommend. Your

Sentiments on this Occasion, as they have been on every other, will be perfectly Agreeable to Your Lordship's

Most obedient humble Servant

John Randolph

Enclosure 8: The Account of the Revenue of Quitrents for 1767¹⁵⁹

The Account of his Majesty's Revenue of Quitrents &c. Arising within this Colony of Virginia for the Year 1767.

The Receiver General doth Charge himself with the Receipt of the said Revenue as follows.

To Balance of the last Account
to the Quitrents of the Northern Neck for the Year 1767
To the Account of Compositions for Escheated Lands

£14667. 4.
6. 13.
2. 19.

Quitrents for the Year 1767

Counties Names	Number of Acres Paid for	Paid in Money	Sheriffs Allowances		Amount
			10.	4	
Amelia	375,185	£375. 3. 9	£37. 10.	4	£337. 13. 5
Augusta	270,000	£270. -- --	£27. -- --	--	243. -- --
Albemarle	100,000	£100. -- --	£10. -- --	--	90. -- --
Accomack	160,000	£160. -- --	£16. -- --	--	144. -- --
Amherst	261,018	£261. -- 4	£26. 2.	--	234. 18. 4
Brunswick	270,000	£270. -- --	£27. -- --	--	243. -- --
Bedford	80,000	£ 80. -- --	£ 8. -- --	--	72. -- --
Buckingham	200,000	£200. -- --	£20. -- --	--	180. -- --
Charles City	120,000	£120. -- --	£12. -- --	--	108. -- --
Cumberland	230,000	£230. -- --	£23. -- --	--	207. -- --
Chesterfeild	85,000	£ 85. -- --	£ 8. 10.	--	76. 10. --
Charlotte	271,199	£271. 4. --	£27. 2.	5	244. 1. 7
Dinwiddie	31,154	£ 31. 3. 1	£ 3. 2.	3	28. -- 10
Elizabeth City	143,592	£143. 11. 10	£14. 7.	2	129. 4. 8
Essex	850,000	£ 85. -- --	£ 8. 10.	--	76. 10. --
Goochland	160,000	£160. -- --	£16. -- --	--	144. -- --
Gloucester	230,000	£230. -- --	£23. -- --	--	207. -- --
Hanover					
Henrico					

Counties Names	Number of Acres Paid for	Paid in Money	Sheriffs Allowances	Amount
Hallifax	40,000	£ 40. --	£ 4. --	£ 36. --
James City				
Isle of Wight	130,000	£130. --	£13. --	£ 117. --
King William				
King & Queen				
Louisa				
Lunenburg	140,000	£140. --	£14. --	£ 126. --
Middlesex	77,470	£ 77. 9.	£ 7. 14.	£ 69. 14. 6
Mecklenburgh	253,396	£253. 7.	£25. 6.	£ 228. 1. 2
Nansemond	179,413	£179. 8.	£17. 18.	£ 161. 9. 5
Norfolk	151,779	£151. 15.	£15. 3.	£ 136. 12. 1
Northampton	100,000	£100. --	£10. --	£ 90. --
New Kent	25,000	£ 25. --	£ 2. 10.	£ 22. 10. --
Orange				
Prince George	149,764	£149. 15.	£14. 19.	£ 134. 15. 9
Princess Anne				
Prince Edward				
Pittsylvania	20,000	£ 20. --	£ 2. --	£ 18. --
Spotsylvania	50,000	£ 50. --	£ 5. --	£ 45. --
Surry	120,000	£120. --	£12. --	£ 108. --
Southampton	140,000	£140. --	£14. --	£ 126. --
Sussex	130,000	£130. --	£13. --	£ 117. --
Warwick				
York	35,000	£ 35. --	£ 3. 10.	£ 31. 10. --
				4332. 11. 9
				£19009. 9. 2
			Brought over	£19009. 9. 2

Arrears of Quitrents paid in the Year 1767.

Counties Names	Number of Acres Paid for	Paid in Money	Sheriffs Allowances	Amount
Augusta	1766	£150.	£15.	£135.
Brunswick	1766	£100.	£10.	90.
Buckingham	1766	£25.	£2.	22.
Ditto	1765	£25.	£2.	22.
Caroline	1766	£100.	£10.	90.
Charlotte	1766	£95.	£9.	85.
Elizabeth City	1766	£31.	£3.	28.
Gloucester	1764	£6.	£13.	6.
Ditto	1763	£1.	£3.	1.
Hallifax	1766	£40.	£4.	36.
Ditto	1764	£171.	£17.	154.
Ditto	1760	£30.	£3.	27.
Isle of Wight	1764	£60.	£6.	54.
Ditto	1763	£1.	£1.	1.
Mecklenburgh	1766	£77.	£7.	69.
Nansemond	1766	£8.	£17.	7.
New Kent	1766	£70.	£7.	63.
Orange	1766	£70.	£7.	63.
Princess Anne	1766	£126.	£12.	113.
Surry	1766	£44.	£4.	39.
Sussex	1766	£158.	£15.	142.
Warwick	1766	£42.	£4.	38.
Received from sundry Persons in several Counties				
				1293.
				102.
				£20405.
				4.
				11
				3
				4

The Receiver General doth Discharge himself
 By paid to the Honourable and Reverend Robert Cholmondeley on his Majesty's Warrant one Years Allowance ending the 25th October 1768
 By paid to James Abercrombie Esqr. on his Majesty's Warrant one Years Allowance ending the 21st September 1768
 By paid to the Administrator of Mr. Commissary Robinson¹⁶⁰ for his Salary to the time of his Death
 By paid to Mr. Commissary Horrocks¹⁶¹ on his Majesty's Warrant for his Salary to the 25th of October 1768

By two Warrants to the Attorney General for one Years Salary ending the 15th of October 1768
 By paid to John Blair Esqr. pursuant to a Minute¹⁶² of the Lords of Treasury dated December 10th 1767
 By Allowance of 1/2 Per Cent for Negotiating the Bills of Exchange in London
 By Allowance to the Auditor at 5 Per Cent on £5738.7
 By Allowance to the Receiver General on the same Sum

So that the Sum Disburst amounts to
 And there will remain due to Balance this Account

Rd. Corbin D R G

£	70.	--	--
	1230.	--	--
	28.	13.	10
	286.	18.	4
	286.	18.	4
£	2352.	10.	6
	18053.	--	10
£	20405.	11.	4

I have Examined the within Account of his Majesty's Revenue of Quitrents for the Year 1767 and have Compared every Article with its proper Voucher produced by Richard Corbin Esqr. Receiver General and find the Charge there of amounting to twenty thousand four hundred five Pounds eleven Shillings and four Pence and the Discharge to two thousand three hundred fifty two Pounds ten Shillings and six Pence both truly Stated So that there is due to his Majesty's Revenue for balance of this Account eighteen thousand fifty three Pounds and ten Pence Sterling.

John Blair D. Audr.

December 16th, 1768

The within Account Compared and Examined by John Blair Esqr. Deputy Auditor was produced to me in Council and Sworn to by Richard Corbin Esqr. Receiver General.

Botetourt

TO THE EARL OF HILLSBOROUGH, 22 DECEMBER 1768¹⁶³

No. 7

Williamsburg, 22 December 1768

Have inclosed a State of Patents granted in 1752, 3- 5 and 6¹⁶⁴ together with a Duplicate of No. 5 which was put on board the Isabella Capt. McNab¹⁶⁵ the 1st of this Instant December, Captain Barron not having been able to sail so soon as he expected. Many have applied for Grants of Lands in

consequence of the Treaty concluded at Fort Stanwix but all have been told that none will be granted till the whole Line is marked out and agreed to by All concerned. It is generally thought that the Cherokees will easily be persuaded to sell at a moderate rate the Lands marked to be purchased within the Red Lines upon a Map I have sent You in a Packet with No. 6. Your Lordship knows too well the Charm of dispatch in business to make it necessary for me to implore You to send Your final Instructions to Mr. Stuart upon this important matter and a Duplicate to me the first possible Minute.

TO THE EARL OF HILLSBOROUGH, 5 FEBRUARY 1769¹⁶⁶

No. 8

Williamsburg, 5 February 1769

Your Lordship's Circular No. 16¹⁶⁷ shall be exactly observed; I did not receive it till the 31st of last Month. Inclosed is a Copy of a letter from Mr. Stuart with a report from our Commissioners of the Effect of their journey to Charles Town. Am inclined to believe that our late Lieutenant Governor woud willingly have cooperated with Mr. Stuart if he had been enabled so to have done, and for that my Opinion I must beg leave to refer Your Lordship to a letter from Mr. Fauquier¹⁶⁸ to the Earl of Shelburne¹⁶⁹ Dated November 18th 1766 where he refers his Lordship to a letter to the Lords of Trade dated 13th of February 1764¹⁷⁰ in

which he reports an exact State of Indian Affairs at that important period and begs to be instructed in what manner to proceed.

My Instructions forbid me to remit fines above the Value of ten pounds but as they allow me to suspend collecting them, I have ordered two poor Women¹⁷¹ to be set at liberty who in December 1767 were fined twenty pounds each and order'd a Year's Imprisonment, they having suffered their whole Year's imprisonment and being utterly incapable of paying the fine.

Enclosure 1: John Stuart to Lord Botetourt, 19 January 1769¹⁷²

My Lord

Charles Town, 19 January 1769

On the 11th Current I was Honord with your Excellency's Letter by Col. Lewis and Doctor Walker, with whom I have fully conferr'd on your Lordships proposal of agreeing upon a Fresh plan for a New Boundary Line behind your Province.

In consequence of orders from His Majesty, I enter'd upon a Negotiation with the Cherokee Indians in the Year 1765 for ascertaining a Boundary Line dividing what Lands they proposed Ceding to His Majesty in the different Provinces within this District, from what they reserved for hunting Ground. My Ideas upon that Subject, I fully communicated to Lieutenant Governor Fauquier in my Letters of 10th February, 24th November & 17th December 1766, 2d & 19th March & 21st July 1767¹⁷³ in which I sent him Copies of the Messages to

me from the Cherokees, pointing out their Claims and the Courses of the proposed Line, and desiring to be informed of his Sentiments and how far the Boundary proposed by the Indians was agreeable to him and his Council, but that Gentleman, never favour'd me with any explicit answer, but in general Signified an aversion to the Measure.¹⁷⁴

It was my duty to represent to His Majesty's Ministers the discontent of the Indian Tribes on account of Settlements made on their Lands without any Cession being obtained from them, at the same time I submitted the Steps I had taken and the Expectations and proposals of the different Indians, and His Majesty's orders thereupon were signify'd to the respective Governors, by the Earl of Shelburns Circular Letter of 13th September 1766,¹⁷⁵ and by His Lordships Letters to me of said date, and the 11th December 1766.¹⁷⁶ I was directed to proceed to the ascertaining a Boundary Line without Loss of Time in concert with the Governors of the different Provinces, notwithstanding which the Province of Virginia never would co-operate with me, or Signify whether or not they approved of the propos'd Boundary Line, which difficulty I represented in different Letters to His Majesty's Ministers.¹⁷⁷

In April last I received Mr. President Blairs Letter of 12th March¹⁷⁸ covering Copies of a report of the Lords of Trade concerning the Boundary Lines in both Districts¹⁷⁹ and of the Earl of Shelburns Letter to Mr. Fauquier of 14th November 1767¹⁸⁰ pointing out the Course of the Line and

Signifying His Majesty's orders that it should be compleated, your Lordship will please observe that altho' I clearly pointed out the Course of the proposed Line in my Letters to Mr. Blair of 4th April, 7th July & 19th August last,¹⁸¹ no objection was ever made to it on the part of your Province.

In July last I had the Honor of receiving the Earl of Hillsboroughs Letter of 15th April,¹⁸² covering the Lords Commissioners of Trades report of 7th March, Signifying his Majesty's Commands to Ratify and Confirm the Boundary Line as pointed out in said report, express'd in the Following words Viz. That the Line described by the Board of Trade shall be Ratified and Confirmed in every part and the Colonies required to enact the utmost Effectual Laws for preventing all Settlements beyond said Line.

As your Lordship has a Copy of said Report it is unnecessary for me to quote the Line pointed out in it, it became my duty to pay implicit obedience to His Majesty's orders in Ratifying and Confirming the same without variation, which I accordingly did the 14th of October last by a Solemn Treaty Signed by all the Chiefs of the Cherokee Nation, a Copy of which I have now the Honor of sending you.

By the Earl of Hillsborough's Letter of 15th September last¹⁸³ I am precluded entering into any new Negotiation for Lands with the Cherokee Indians without orders for that purpose.

From what I have said your Lordship will see whatever Inconveniences may result either to the Province of Virginia

in particular, or to His Majestys service in general from the Boundary Line as ratify'd and Confirmed by the Inclosed Treaty, must be imputed to Mr. Fauquiers disinclination to consult or co-operate with me, to consider the proposed Line and make his objections to it in Time, after I had received his Majesty's orders to finish the Matter by Treaty there was no option left in me or room for advice, where I have a discretional power, I shall always pay the greatest Attention to any opinion or advice that I shall be honour'd with by your Lordship and your Council, and I hope it appears, that in conducting the Business of the Boundary Line I was not deficient in that point with respect to Mr. Fauquier.

I now beg leave to assure your Lordship, that I shall with Great chearfulness resume a Negotiation for a New Line when His Majesty shall please to Signify his pleasure, In the mean time I shall take the proper Steps to facilitate that Business with the Indians, and am not without hopes of success. I shall by the very first opportunity submit the Matter to the Earl of Hillsborough and shall think myself very happy If I can be instrumental in getting such a Line establish'd as may satisfy both parties.

I cannot help observing to your Lordship that Sir William Johnson's having suffer'd the Claims of the Northern Nations to extend to the Mouth of the Cherokee River and up to it's Source seems directly contrary to the sense of Government and may possibly produce the Effects which

Administration seemed Solicitous to obviate.

I have already submitted to your Lordship, in my Letter of 7th Ultimate my Sentiments on the Subject of the presents intended by your Province as a Compensation to the Cherokees, to which I must beg leave to refer you. I have the honor of being with the utmost respect

My Lord
Your Excellency's
most Obedient and most
Humble Servant.

John Stuart

Enclosure 2: Report of the Commissioners Lewis and Walker to
Lord Botetourt, 2 February 1769¹⁸⁴

My Lord

2 February 1769

On receiving your Excellency's Instructions we began our Journey to Charles Town in South Carolina. On the fifth day of January we waited on his Excellency William Tryon¹⁸⁵ Esqr. at Brunswick,¹⁸⁶ by whom we were kindly received and promised all the assistance in his power. On the next day we went to Fort Johnson¹⁸⁷ near the mouth of Cape Fear. On the 8th Governor Tryon wrote us that some Cherokee Indians were at Brunswick, Juds Friend,¹⁸⁸ and Salue¹⁸⁹ or the young Warrior of Estotoe were two of them, and that they would that day be at Fort Johnson. His Excellency was kind enough to come with them. On their Arrival we informed them we were going to their Father John Stuart Esqr. on business relative to the Interest of their Nation, and should be glad of their Company,

and they readily agreed to go with us. On the ninth the Vessell we had engaged was ready to Sail, and we embarked with the two Cherokee Chiefs, two Squa's and an Interpreter. On the eleventh we waited on Mr. Stuart deliver'd your Lordships letter and fully informed him of our business. In answer, Mr. Stuart told us that the Boundary between the Cherokees and Virginia was fully settled and Ratified in great Britain, and that any proposal of that kind would be very alarming to them, but after some time agreed we might mention it to them which we did on the thirteenth of January. The Indian Chiefs appear'd much pleas'd and agreed to wait on Mr. Stuart with us, and in his presence Judds Friend spoke as follows.

Father, on an Invitation from Governor Tryon we left Our Country some time since. As soon as he saw us he told us of those our two elder brothers Col. Lewis and Doctor Walker from Virginia, who had matters of importance to mention to us, that equally concern'd our people as well as theirs, this news gave us great Joy, and we lost no time in waiting on them, and with great pleasure took a passage with them, in order to wait on you, on the business which so much concerned us, as well as their People and to convince you that we like their talk. We now take them by the hand, giving them a hearty welcome, and present them with this string of Wampum.

Father they tell us that by runing the line lately mentioned as a Boundary between our People and Virginia a

great number of their People will fall within the bounds of Our Country which would greatly distress those our poor Brothers, which is far from our Intention, and to convince you that we are on all occasions willing to testify our Brotherly affection towards them, we are heartily willing to Join in such negotiations as may be thought necessary and most expedient for fixing a new Boundary that may include all those People settled on Our Lands in the Bounds of Virginia, and we now give them in presence of you our Father, this string of Wampum as an Assurance those People shall remain in peaceable possession of those Lands untill a treaty is held for fixing a new Boundary between them and our People.

Gives a string of Wampum.

We then deliver'd the following Talk to the Warriors to be by them communicated to their Nation.

To the Chiefs of the Cherokees

Brothers

On the 20th day of December last being in Williamsburg we received Instructions from Lord Botetourt our Governor a great and good Man, whom the great King George has sent to preside over his Colony of Virginia, directing us to wait on your Father John Stuart Esqr. Superintendant of Indian affairs in order to have a plan agreed on for fixing a new Boundary between your People and His Majestys Subjects in the Colony of Virginia. On Our way to this place, to our great Joy we met with our good brothers Juds-Friend, and the Warrior of

Estitoe, who with great readiness took a passage with us from Governor Tryons to this place, where we had the happiness of waiting on Your Father Mr. Stuart, and with joint application represented to him the Necessity of taking such measures as may effectually prevent any misunderstandings that might arise between his Majestys Subjects of the Colony of Virginia and our Brothers the Cherokees, untill a full Treaty be opened and held for the fixing a new Boundary, that may give equal Justice and satisfaction to the Parties concerned. And that his Majesty's Subjects now settled on the Lands between Chiswells Mines and the great Island of Holstons River,¹⁹⁰ remain in peaceable Possession of said Lands, untill a Line is run between them and our good Brothers the Cherokees, who will receive full satisfaction for such Lands as you our Brothers shall convey to our Great King for the use of His Subjects. Your Father Mr. Stuarts message to you on this head makes it needless for us to say any more on this subject. He will let you, at a proper time know both the time and place where this great work shall be brought into Execution. We have the pleasure to inform you that your two great Warriors now present have heartily concurred with us in every measure and make no doubt of such measures giving great satisfaction to the whole Nation.

Gave a string of Wampum

January 16th

In Answer to which Juds-Friend, and the Warrior of

Estitoe spoke as follows.

Father, and our Brothers from Virginia

We have heard your Talks which we think very good, and shall with all convenient speed return to Our Nation, and when our Chiefs are assembled shall lay those Talks before them.

Brothers we are sorry to have it to say that for some time bad Blood and evil Actions prevailed amongst us which occasioned a Stroke from our Elder Brothers, but I now have the satisfaction of telling you that our Hearts are good and strait and you may depend on their continuing so, and that you may depend the more on what we say. We take off those blacks Beads from the end of this string that nothing may remain but what is pure and white, we now put the black beads in your hands which we call the remains of our Evil thoughts and desire you may now cast them away that they may never be had in remembrance more.

Brothers we shall with great pleasure comply with the request you have made with regard to the Lands you have mentioned, and shall wait with impatience for a general meeting that we may have an Opportunity of convinceing our Elder Brothers of Our Friendly disposition towards them, by giving up those Lands, as they may be of real use to them, for to us it is but little or none, as we never hunt there, The Deer do not live in them Mountains, and you in the mean time may depend that your People shall enjoy peaceable

possession untill we make a Title to the Great King.

Brothers we hope the Measures now taken will be productive of many advantages to Our People as well as yours, who by living so much nearer to Us will have it in their power to supply us with goods, for we are often imposed on greatly, as we have no Trade at present but from this Province, and we hope you our Brothers will signify to your Governor, who we believe to be that great and good Man you mention, Our great desire to have a Trade with Virginia. That after this business is happily finished which we make no doubt of on the part of our Nation, We may enjoy a Friendly intercourse and an Advantageous Trade, with our Brothers the Inhabitants of Virginia.

Brothers

We have often joined you in War against your Enemies, and you may always depend on our assistance on any future Occasion.

Gives a string of Wampum

After we had given Mr. Stuart our reasons for thinking it absolutely necessary that a new Boundary should be agreed on, he desired us to commit those reasons in writing and sign them which we did in the following words.

Sir

His Excellency the Right Honorable Norborne de Lord Botetourt Governor in Chief of the Colony of Virginia, and the Kings Council of that Dominion, having order'd us to wait

on you, and assist in settling a Boundary between that Colony, and the Cherokee Indians. We beg leave to inform you that the line proposed to be marked from Chiswells Mines to the confluence of the great Kanhawa with the Ohio, would be a great disadvantage to the Crown of Great Britain and would Injure many Subjects of Britain, that now inhabit that part of the Frontier, and have in making that settlement Complied with every known Rule of Government and the Laws of that Colony.

Lands were first Granted on the Waters of the Mississipy, By Sir William Gooch,¹⁹¹ Governor of Virginia and the Council, about the Year 1746, in consequence of Instructions from England, and many Familys settled on the Lands so granted. In the Year 1752 the Legislature of Virginia pass'd an Act intituled an Act to encourage the Settlers on the Waters of the Mississipy. By that Act they were exempted from the payment of Taxes for Ten Years, to this Act his late Majesty of Glorious Memory gave his Assent.

The next Year another Act was pass'd by which five Years Indulgence was aded, and in that or the succeeding year Robert Dinwiddie¹⁹² Esqr. Governor of Virginia at that time, received Instructions from King George the second, to grant Lands on those Waters exempt from the payment of the Usual Right Money, and free from Quitrents for ten years.

Under those encouragements was that part of the Colony settled. Whilst the Inhabitants were settling on those Lands, the Cherokee Indians were frequently at their

habitations, and never, that we or either of us ever heard made the least complaint of our settling, or laid any Claim to the Lands we settled, untill November 1763, after the Kings Proclamation¹⁹³ issued in that year.

The six united Nations did claim the Lands that were settled on the Branches of the Rivers Kanhawa, and Monangahaly,¹⁹⁴ and were paid a proper consideration for them at Lancaster¹⁹⁵ in 1744, when they executed a Deed of Cession to his late Majesty.

We flatter our Selves that the above is sufficient to convince you of the Justice and Legality of making those Settlements.

The Boundary line that has been proposed would include many of the inhabitants before mentioned within the Limits of the Cherokee Hunting grounds. For all such Lands and Improvements the Justice of the Crown would be a sufficient inducement to make some satisfaction to the owners, which would be an expence to the Crown, and Injure the Inhabitants much, and totally ruin many of them And the evil would be increas'd by the loss of the Quitrents annually paid for these Lands, and would also give the Cherokees a large tract of Country that was never claimed by them, and now is the property of the Crown, as Sir William Johnson actually purchased it of the six united Nations of Indians, at a very considerable expence and took a Deed of Cession from them at Fort Stanwix near the head of the Mohocks River on the 5th day

of November last.

The Interest of the Crown and Inhabitants of Virginia will be most served by fixing the Boundary with the Cherokees in 36 Degrees 30 Minutes North Latitude. That Boundary being already marked by proper Authority as far as steep Rock Creek¹⁹⁶ a Branch of the Cherokee River, and is the proper Division between Lord Granvills¹⁹⁷ Proprietary and the Dominion of Virginia, and includes but a small part of the Lands now claimed by the Cherokees, they having often disclaimed the Lands lying between the Ohio and a Ridge of Mountains called Steep Ridge¹⁹⁸ that divides the Waters of Cumberland River from those of the Cherokee River.

This Boundary will give room to extend our settlements for ten or twelve Years, will raise a considerable Sum by the Rights, much increase the Quitrents, and enable the Inhabitants of Virginia to live without Manufacturing such Materials as they raise.

Andw. Lewis

Thos. Walker

TO THE EARL OF HILLSBOROUGH, 17 FEBRUARY 1769¹⁹⁹

No. 9

Williamsburg, 17 February 1769

I congratulate Your Lordship upon Her Majesty's being happily brought to bed of a Princess²⁰⁰ and rejoice with You very sincerely that both are well. The Resolution²⁰¹ of the

Parliament of Great Britain to redress the real Grievances of His Majesty's American Subjects cannot fail of being highly pleasing to His Colonies, but I must not venture to flatter You with hopes that they will ever willingly submit to the being taxed by the Mother Country; the reverse is their Creed; they universally avow a most ardent desire to assist upon every occasion but pray to be allow'd to do it as formerly, in consequence of Requisition. In the mean time I must beg Your Lordship to observe that the Laws are obey'd, and the Duties complain'd of, collected in every part of this Colony, without a shadow of resistance from any Mortal. I did not receive No. 17²⁰² till the 11th of this instant February.

TO THE EARL OF HILLSBOROUGH, 30 MARCH 1769²⁰³

No. 10

Williamsburg, 30 March 1769

I have received Numbers 18 and 19²⁰⁴ and am happy that His Majesty is pleased with the present disposition of his Colony of Virginia. It likewise rejoices me exceedingly that Your Lordship approves of the day I have fixed for the meeting of the Assembly. It is my opinion that they will come together in good humour, and if I find them so, I do promise You that I will not wantonly disturb them. Mr. President Blair express'd great satisfaction when I acquainted him with His Majesty's most Gracious approbation²⁰⁵ of his Conduct as Deputy Auditor of his Revenue and bowed low when I told him

that he would not so soon have been superseded in the Administration of Government, had it not been for the Resolutions²⁰⁶ which accompanied his letter of the 18th of May.

TO THE EARL OF HILLSBOROUGH, 10 MAY 1769²⁰⁷

No. 11

Williamsburg, 10 May 1769

I have the honour to inclose my Speech to the General Assembly of Virginia together with the Address of the Council and my answer.

[P.S.] Since I wrote the above have received No. 20²⁰⁸ with a Duplicate from Your Lordship to Mr. Stuart, it rejoices me exceedingly that His Majesty approves of my Dispatches relative to the Indian Line and am happy beyond measure that the whole of that business is to be immediately reconsidered by the Board of Trade. Am told that the House of Burgesses have voted a most Dutiful Address and that I am to hear from them this afternoon, 52 dined with me Yesterday and I expect at least that number to day--most of whom are already arrived and waiting for me. 3 o'clock just returned from the Council.

Enclosure 1: Lord Botetourt's Speech to the Council and House of Burgesses, 8 May 1769²⁰⁹

Gentlemen of the Council, Mr. Speaker and Gentlemen of the House of Burgesses

The King having been graciously pleased to appoint me to the high Office of His Majesty's Lieutenant and Governor General of this his antient and loyal Colony and Dominion of Virginia, I lost no time in repairing to my Government, in order to enter as soon as possible upon the Execution of the Important Trust committed to my Charge; and give me leave to assure You that it is with the greatest satisfaction, I have now, in Obedience to His Majesty's Command, the Honour to meet You in General Assembly.

You Gentlemen who know intimately the true Interests of the Colony, are the best Judges of the Measures necessary to be pursued for its Advantage and prosperity; and the frequent experience His Majesty has had of your Zeal and Wisdom, leaves no Room in the Royal Breast to doubt that You will give me all such Advice and Assistance as may enable me to promote and render permanent the happiness of Virginia; a steady pursuit of which is the first and great Command of my Royal Master, who entertains the most paternal Affection for all his Subjects, in every part of his Dominions, however remote from the Seat of his Empire, and makes the General Happiness of them All, equally the Object of his Royal Care and Attention.

For my own Part, however conscious I may be of Want of Ability, I shall not doubt through your Counsel and support to be enabled to do my Duty as becomes a faithful Servant to the best of Sovereigns, and a most sincere Friend to the Welfare of this Colony. It is to these Principles I am to

trust for Success in my Administration and I hope by my Actions to merit your Confidence and Affection.

It is with great Satisfaction I have the Honour to acquaint You that Her Majesty was last November happily delivered of a Princess, and that both are Well.

Mr. Speaker and Gentlemen of the House of Burgesses,

I have nothing to ask, but that You consider well, and follow exactly, without Passion or Prejudice, the real Interests of those You have the Honour to represent; they are most certainly consistent with the prosperity of Great Britain and so they will forever be found, when pursued with temper and Moderation.

Gentlemen of the Council, Mr. Speaker and Gentlemen of the House of Burgesses,

It is a peculiar Felicity to me and a great Addition to the many Honours, I have received from my Royal Master, that I have it in Command from His Majesty to declare and Communicate, what will be So Honourable to this Colony and must therefore be so agreeable to You, his Gracious Intention, that for the future his Chief Governors of Virginia shall reside within their Government.²¹⁰

Enclosure 2: Address of the Council to Lord Botetourt, 9/10

May 1769²¹¹

To his Excellency the Right Honourable Norborne Baron de

Botetourt, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same.

The humble Address of the Council

May it please your Excellency

We his Majesty's dutiful and Loyal Subjects the Council of this his most antient Colony and Dominion of Virginia, now met in General Assembly, return your Excellency our hearty thanks for your kind and affectionate Speech at the opening of this Session.

And as every event that adds to the domestic happiness of the best of Sovereigns must give the sincerest joy to all his Subjects, We beg leave to rejoice with your Lordship on the safe delivery of the Queen, and the birth of another Princess.

Our minds are fill'd with the most lively sentiments of gratitude to his Majesty for his great goodness in appointing a Governor in Chief to reside among us.

The Arrival of your Lordship in that Capacity has diffused a general joy through the whole Country, and we flatter ourselves from Your Lordship's experience and great knowledge in the true principles of government, that when the Annals of these times shall be handed down to posterity, they will here begin a new Aera; Your Lordship's administration will be distinguished by the love of order, the steady and impartial distribution of Justice, and the constitution will

be fixed on the solid basis of public liberty.

Permit us, my Lord, to indulge this pleasing hope, and to assure your Excellency in the strongest manner of our unshaken fidelity to his Majesty, and our firm attachment to his sacred Person and Government, on the support of which, we are fully convinced the safety and Prosperity of this Colony will entirely depend.

Lord Botetourts Answer

Gentlemen of the Council

It is impossible to be more pleased and obliged than I am by every word in Your most Affectionate Address.

I rejoice in Your Ideas; and will report to my Royal Master, that His Council of Virginia will yield to none of His Subjects, in Loyalty and Devotion to His Sacred Person and Government.

TO THE EARL OF HILLSBOROUGH, 12 MAY 1769²¹²

No. 12

Williamsburg, 12 May 1769

I have the honour to inclose the Address I received Yesterday from the House of Burgesses, with Duplicates of my Speech and the Address of the Council, and can with pleasure assure Your Lordship, that all here are delighted with the proofs I have received of the immediate attention You have given to my Dispatches upon the Indian Line. We shall expect

with impatience the Report of the Board of Trade upon that important business and heartily pray that it may fully answer every honest publick purpose. Must intreat Your Lordship to pardon me for sending Printed Copies as I might possibly loose this opportunity if I did not immediately dispatch the express who waits at my door.

Enclosure 1: Address of House of Burgesses to Lord Botetourt, Accepted 10 May 1769 and Delivered 11 May 1769, and Lord Botetourt's Answer, 11 May 1769²¹³

To his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same,

The humble Address of the House of Burgesses.

My Lord,

We his Majesty's most dutiful and loyal Subjects, the Burgesses of Virginia, now met in General Assembly, humbly beg Leave to return your Excellency our sincere and unfeigned Thanks for your very affectionate Speech at the Opening of this Session; and we do with the highest Satisfaction and Pleasure embrace this first Opportunity which has been offered us, as well for ourselves as in Behalf of all our Constituents, to congratulate your Excellency on your Appointment to this Government, and your safe and early Arrival.

The Assurances of the Royal Favour, communicated to us through your Excellency, cannot but impress the Heart of every Virginian with the most lively and indelible Sentiments of Duty and Affection. Permit us then, My Lord, to renew our Assurances to Your Excellency of our most cordial and inviolable Attachment to his Majesty's sacred Person and Government, the real Happiness and Prosperity of which have ever been the grand leading Objects of our warmest Wishes.

His Majesty's gracious Appointment of Your Lordship to so important a Station, at the same Time that it holds forth to the World the strongest Evidence of Your Lordship's exceeding Merit, is a recent Proof to us of his paternal Affection for this his antient and loyal Colony.

We receive with equal Pleasure and Gratitude the Intimation of his Majesty's gracious Purpose, that his chief Governors of Virginia shall in future reside within their Government, as from hence we are persuaded, that much Honour and many signal Advantages will redound to the Colony; and we do assure Your Lordship, with that Sincerity which Truth ought ever to inspire, that we esteem as a peculiar Mark of the Royal Attention to our Happiness Your Lordship's Appointment to preside over us, since we cannot but regard the Display of so many Virtues and Abilities, during the short Time of your Residence here, as a sure Presage, that Wisdom and Benevolence will eminently distinguish Your Lordship's Administration.

As we shall ever participate even of his Majesty's

domestic Felicity, we do very cordially congratulate Your Lordship, as the immediate Representative of the best of Sovereigns, on the late Birth of a Princess, an additional and endearing Pledge to the British Nation and all its Connections; and it is with great Pleasure we learn, that her Majesty and the Royal Infant are in perfect Health.

It is an indispensable Duty which we owe to our Constituents, and which at present is strongly enforced by Your Lordship's Recommendation and Advice, that we should dispassionately, and with the greatest Candour, consider the important Business upon which we are now assembled; and we beg Leave to assure Your Excellency, that if, in the Course of our Deliberations, any Matters should arise, which may in any Sort affect Great-Britain, they shall be discussed on this ruling Principle, that both our Interests are inseparably the same.

It only remains, My Lord, for us to offer up our most fervent Prayers to that Supreme Being, the Sovereign Dispenser of every good and perfect Gift, beseeching him to inspire Your Lordship with all Wisdom, and that his Majesty will long continue you the happy Ruler of a free and happy People.

To which his Excellency was pleased to return the following Answer.

Mr. Speaker, and Gentlemen of the House of Burgesses,

I cordially pray for that Wisdom which you have kindly

implored the Almighty to grant me.

My Situation calls for it, and the People of Virginia have a Right to expect it.

When my gracious Master ordered me here, he commanded me to do Justice, and to maintain the Rights of all his Subjects; I joyfully accepted the glorious Command, and in the Execution of it, will exert that honest Zeal, which all good Men will approve.

His Majesty shall be fully informed of your Expressions of Gratitude, Loyalty, and Attachment, to his sacred Person and Government, and shall be told of your Kindness to me.

TO THE EARL OF HILLSBOROUGH, 16 MAY 1769²¹⁴

No. 13

Williamsburg, 16 May 1769

I have the honour to inclose an Account of His Majestys Revenue of 2s. per Hogshead upon Tobacco from the 25th October to the 25th of April together with a Copy of a letter from Mr. Randolph His Majestys Attorney General of this Province, to the Commissioners of the Board of Customs at Boston,²¹⁵ relative to a Writ of Assistants²¹⁶ which he moved for in the General Court at their desire. I was upon the Bench when he made the Motion, and concurr'd with my Brethren in directing him to draw a Writ exactly conformable to the Acts of Parliament which relate to that matter, and are in force in this Colony; and it is with great pleasure I can assure Your

Lordship that the Bench of Counsellors are always of opinion to make the Law, the Rule of their conduct, however disagreeable the letter of it, may be to them, in their several Capacities.

Enclosure 1: Draft of a Writ of Assistance, Undated²¹⁷

George the Third by the grace of God of Great Britain France and Ireland King defender of the Faith &c. To John Earnshaw²¹⁸ Collector and John Hylton²¹⁹ Comptroller of our Customs in the upper District of James River and to each of you Greeting. Whereas by an Act²²⁰ of Parliament made in the seventh year of our Reign intituled An Act for granting certain Duties in the British Colonies and Plantations in America for allowing a Drawback of the Duties of Customs upon the exportation from this Kingdom of Coffee and Cocoa Nuts of the produce of the said Colonies or Plantations for discontinuing the Drawbacks payable on China, Earthen ware exported to America and for more effectually preventing the Clandestine running of Goods in the said Colonies and Plantations reciting that "Whereas by An Act²²¹ of Parliament made in the fourteenth year of the Reign of King Charles the Second intituled An Act for preventing frauds and regulating Abuses in his Majesty's Customs and several other Acts now in force it is Lawful for any Officer of his Majesty's Customs authorized by writ of Assistants under the seal of his Majesty's Court of Exchequer²²² to take a Constable, Head-Borough or other Public Officer

inhabiting near unto the place and in the day time to enter and go into any house, Shop, Cellar, Warehouse or Room or other place, and in case of resistance to break open Doors Chests, Trunks and other Package there, to seize and from thence to bring any kind of Goods or Merchandize whatsoever prohibited or uncustomed and to put and Secure the same in his Majesty's Store house next to the place where such Seizure shall be made and Whereas by an Act²²³ made in the seventh and eighth years of the Reign of King William the Third, intituled an Act for preventing Frauds, and regulating Abuses in the Plantation Trade it is amongst other things Enacted that the Officers for Collecting and managing his Majesty's Revenue and inspecting the Plantation Trade in America shall have the same Powers and Authorities to enter Houses or Warehouses to search for and seize Goods prohibited to be imported or exported into or out of any of the said Plantations or for which any Duties are payable or ought to have been paid and that the like Assistance shall be given to the said Officers in the Execution of their Office as by the said recited Act of the fourteenth Year of King Charles the Second is provided for the Officers in England But no Authority being expressly given by the said Act made in the seventh and eighth years of the Reign of King William the Third to any particular Court to grant such Writs of Assistants for the Officers of the Customs in the said Plantations it is doubted wether such Officers can legally enter houses and other places on Land to search for and seize goods in the

to seize and from thence to bring any kind of Goods or Merchandize whatsoever prohibited or uncustomed and to put and secure the same in our Store-house in the Port next to the place where the Seizure shall be made and we do hereby require and command all our Officers and Ministers of Justice and all other our leige People whom it may concern to be aiding and assisting in the Execution of the Premises as is meet and according to Law and this you and they shall in no wise omit at your Peril. Witness Norborne Baron de Botetourt our Lieutenant and Governor General at Williamsburg the day of In the Year of our Reign.

By Rule of the General Court.

Enclosure 2: Attorney General Randolph to Commissioners at Boston, 15 May 1769²²⁴

Sir

15 May 1769

Upon Reciept of Your Favour of 21 March inclosing the Form of a Writ of assistants, & the opinion of the Attorney General shewing the Legality of the same, I immediately laid them before our Supreme Court of Justice, which was then sitting; & moved that a similar Writ might be granted to those Officers of the Customs, whose Names you men[tione]d in Your Letter. The Gentlemen of our Bar very strenuously opposed the Motion, & insisted, that the Writ sent was by no means conformable to the Act of Parliament; That its Direction

was too general & ought to be regulated by the 32d Clause of the 14 Car 2.²²⁵ that the act gives no Authority to enter Houses &c. in the Night Time; & that the Writ ought not to be a standing one, but granted from Time to Time as the Information of the officers to the Supreme Court, on Oath, may render it necessary. These observations at Length prevailed & the Court directed me to prepare a Writ agreeable to the Words of the act of Parliament, which was accordingly done & approved of; a Copy of which I thought proper to transmit to you.

I must take the Liberty to observe that Our officers of the Customs seldom meet with an obstruction in the Execution of their Duty, and if upon any future occasion, an Obedience to the acts of Trade, shall be found wanting, you may be assured that the offenders shall be proceeded against with as much Rigour as the Law will justify me in doing.

I am Sir Your very obedient humble Servant

John Randolph

Enclosure 3: Address of the Presbyterian Clergy and Lord Botetourt's Answer, Undated²²⁶

To his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice-Admiral of the same.

The humble Address of the Presbyterian Clergy in Virginia
 May it please your Excellency

We the Presbyterian Clergy in Virginia, beg leave to present to your Excellency our most sincere congratulations on your safe arrival to this government.

We are sensible our address comes late, because of our remoteness from each other;²²⁷ but hope your Lordship will excuse what we could not help, and allow us to assure you that none of our fellow-subjects are more firmly attached to his Majesty's person and family, and to the constitution of Great Britain, than we are; of which we will be always ready to give the fullest proofs.

As we will for ever study to make your Excellency's residence in this colony agreeable, and your government easy, we doubt not but your Excellency will secure to us the free use of our religion in doctrine and discipline, as practised by the church of Scotland, to which we believe we have a right by the act of toleration.²²⁸

In the exercise of this, my Lord, we aim to save sinners, and to set Jesus Christ and his religion in the best light we are able; we aim to make the subjects of your Excellency's government good men; which will, in proportion to our success, be an advantage to our country, and promote your Lordship's peace.

This is what we owe to God, and to mankind; to our King, and to your Excellency. To promote this we will pray, preach,

and labour; and look to the Lord of men and Angels for the desired effects. May this supreme Lord bless your Excellency, especially at this critical juncture, that you may please your King, your country, and your God; and having done many great services for your generation, in a good old age retire to rest, where there is a reward for the righteous!

Lord Botetourt's Answer.

Gentlemen

I am truly thankful for your very obliging address, and rejoice in your professions of attachment to his Majesty's person and family, and to the constitution of Great Britain.

It is the King's express command, that liberty of conscience be allowed to all his subjects, so they be contented with a quiet and peaceable enjoyment of the same: And I can venture to promise that the advantages marked out in the act of toleration will all be continued to You in their full extent.

Enclosure 4: The Account of the Revenue from Tobacco, 25 October 1768 to 25 April 1769²²⁹

The Account of his Majesty's Revenue of 2s. Per Hogshead &c. Arising within this Colony of Virginia from the 25th of October 1768 to the 25th of April following.

The Receiver General doth Charge himself with the Receipt of the said Revenue as follows.

To Balance of the last Account	£	929.	3.	5
The Account of the Upper District of James River		922.	8.	8
The Account of the Lower District of James River		351.	18.	5

The Account of the District of York River	£	303.	10.	6
The Account of the District of Rappahannock River		220.	5.	11
The Account of the District of South Potomack		263.	16.	6
The Account of the Port of Accomack		48.	7.	6
The Account of sundry Rights of Land sold		182.	4.	8
The Account of Fines and Forfeitures				
So that the whole Receipt amounts to				
And there will remain due to the Receiver } General to Balance this Account	£	3221.	15.	7
		536.	8.	7
	£	3758.	4.	2

The Receiver General doth Discharge himself
By the Payment of the following Sums.

By a Warrant for half a Years Salary to the Governor	£	1000.	--	--
By a Warrant for Ditto to the Gentlemen of the Council		600.	--	--
By a Warrant to the Judges and other Officers of a Court of Oyer and Terminer		100.	--	--
By a Warrant to the Honourable & Reverend Robert Cholmondeley Auditor of the Plantations for half a Years Salary		50.	--	--
By a Warrant to James Abercrombie Esqr. Solicitor of the Virginia Affairs for Ditto		100.	--	--
By a Warrant to John Randolph Esqr. his Majestys Attorney General for Ditto		35.	--	--
By a Warrant to Nathaniel Walthoe Esqr. Clerk of the Council for Ditto		75.	--	--
By a Warrant to the Adjutants for half a Years Salary		160.	--	--
By a Warrant to James Anderson Armourer for Ditto		6.	--	--
By a Warrant to the Gunners of the Batteries for Ditto		12.	10.	--
By a Warrant to the Ministers attending one General Court		8.	--	--
By a Warrant for Repairs done to the Governors House		324.	4.	11
By a Warrant for Contingent Charges		1053.	18.	11
By allowance of 1/2 Per Cent on £850.2.4 for Negotiating the same in Bills of Exchange in London		4.	5.	--
By allowance to the Auditor at 5 Per Cent on £2292.12.2		114.	12.	8
By allowance to the Receiver General on the same Sum		114.	12.	8
Rd. Corbin D R G	£	3758.	4.	2

I have Examined the within Account of his Majesty's Revenue
Commencing the 25th of October 1768 and ending the 25th of
April following and have Compared every Article with its
proper Voucher produced by Richard Corbin Esqr. Receiver

General and find the same truly Stated and that there is due to the said Receiver General for Balance there of five hundred thirty six Pounds eight Shillings and seven Pence Sterling.

John Blair D. Audr.

May 11th, 1769

The within Account Compared and Examined by John Blair Esqr. Deputy Auditor was produced to me in Council and Sworn to by Richard Corbin Esqr. Receiver General.

Botetourt

TO THE EARL OF HILLSBOROUGH, 19 MAY 1769²³⁰

No. 14

Williamsburg, 19 May 1769

On Tuesday evening about seven o'clock I was to my great astonishment informed that the House of Burgesses had that day²³¹ come to several Resolutions very offensive to the Parliament of Great Britain. I immediately sent out Summonses to the Council to meet me at the Capitol the next day at 12 o'clock, and there acquainted them of my intention of dissolving and that I woud immediately carry it into execution. I then sent for the House of Burgesses and told them that I had heard of their Resolves, that I augur'd ill of their Effect, that they had made it my Duty to dissolve them and that they were dissolved accordingly. Inclosed are their Resolutions²³² and Address and I can with great satisfaction

assure Your Lordship that no one of His Majesty's Council has had any the smallest Share in any part of this abominable measure.

Enclosure 1: Address of House of Burgesses to George III, 17
May 1769²³³

To the King's most Excellent Majesty,
The humble Address of his dutiful and loyal Subjects, the House of Burgesses of his Majesty's antient Colony of Virginia, met in General Assembly.

May it please your Majesty,

We, your Majesty's most loyal, dutiful, and affectionate Subjects, the House of Burgesses of this your Majesty's antient Colony of Virginia, now met in General Assembly, beg Leave, in the humble'st Manner, to assure your Majesty, that your faithful Subjects of this Colony, ever distinguished by their Loyalty, and firm Attachment to your Majesty, and your royal Ancestors, far from countenancing Traytors, Treasons, or Misprisions of Treason, are ready, at any Time, to sacrifice our Lives and Fortunes, in Defence of your Majesty's sacred Person and Government.

It is with the deepest Concern, and most heart-felt Grief, that your Majesty's dutiful Subjects of this Colony find, that their Loyalty hath been traduced; and that those Measures, which a just Regard for the British Constitution,

(dearer to them than Life,) made necessary Duties, have been misrepresented, as rebellious Attacks upon your Majesty's Government.

When we consider, that, by the established Laws and Constitution of this Colony, the most ample Provision is made for apprehending and punishing all those who shall dare to engage in any treasonable Practices against your Majesty, or disturb the Tranquillity of Government; we cannot, without Horror, think of the new, unusual, and, permit us with all Humility to add, unconstitutional and illegal Mode, recommended to your Majesty, of seizing, and carrying beyond Sea, the Inhabitants of America, suspected of any Crime, and of trying such Persons, in any other Manner, than by the antient and long-established Course of Proceeding.²³⁴ For how truly deplorable must be the Case of a wretched American, who, having incurred the Displeasure of any one in Power, is dragged from his native Home, and his dearest domestic Connections, thrown into Prison; not to await his Trial before a Court, Jury, or Judges, from a Knowledge of whom he is encouraged to hope for speedy Justice; but to exchange his Imprisonment in his own Country, for Fetters among Strangers; conveyed to a distant Land, where no Friend, no Relation will alleviate his Distresses, or minister to his Necessities, and where no Witness can be found to testify his Innocence! Shunned by the reputable and honest, and consigned to the Society and Converse of the wretched, and

the abandoned, he can only pray, that he may soon end his Misery, with his Life.

Truly alarmed at the fatal Tendency of these pernicious Counsels, and with Hearts filled with Anguish, by such dangerous Invasions of our dearest Privileges, we presume to prostrate ourselves at the Foot of your royal Throne, beseeching your Majesty, as our King and Father, to avert from your faithful and loyal Subjects of America, those Miseries which must necessarily be the Consequence of such Measures.

After expressing our firm Confidence in your royal Wisdom and Goodness, permit us to assure your Majesty, that the most fervent Prayers of your People, of this Colony, are daily addressed to the Almighty, that your Majesty's Reign may be long and prosperous over Great Britain, and all your Dominions; and that, after Death, your Majesty may taste the fullest Fruition of eternal Bliss; and that a Descendant of your illustrious House may reign over the extended British Empire till Time shall be no more.

Peyton Randolph²³⁵ Speaker

TO THE EARL OF HILLSBOROUGH, 23 MAY 1769²³⁶

Secret and Confidential

Williamsburg, 23 May 1769

My Duty to the King obliges me to inform Your Lordship, that Opinions of the Independancy of the Legislature of the

Colonies are grown to such a Height in this Country, that it becomes Great Britain, if ever she intends it, immediately to assert her Supremacy in a manner which may be felt, and to loose no more time in Declarations which irritate but do not decide.

It is my Intention not to issue Writs for a new Assembly untill I receive His Majesty's Commands for that purpose, and so I have told to all who have talked to me upon that Subject.

TO THE EARL OF HILLSBOROUGH, 14 JULY 1769²³⁷

No. 15

Williamsburg, 14 July 1769

I have sent by Captain Walker²³⁸ Duplicates of the Journals²³⁹ of the late General Assembly of this Province-- have marked two letters in the inclosed Gazette.

Enclosure 1: Extracts of Two Letters from the Virginia Gazette of 13 July 1769²⁴⁰

Extract of a letter from a Gentleman in Virginia, to one in this town, dated Williamsburg, May 29.

"Enclosed are the resolves, &c. which I doubt not will afford satisfaction to the virtuous, and confusion to those of a different character. Our late Assemblymen have endeared themselves so much to their constituents, by their patriotick conduct, that it is expected they will receive the general

thanks of the people, be invited to represent them at the next Assembly, and that the charge of election shall be paid by their constituents. It is worthy of observation that although the calling of this Assembly was delayed until it was too late to lay the publick levy for this year, and several laws of considerable consequence to the country were to expire if not renewed this session, yet the Assembly, judging the liberties of the people of so much more consequence, delayed not to enter as soon as possible on that business, while they existed as an Assembly, though they expected the event. However, the Governour was not blamed, as we suppose he acted from instructions, and I verily believe suffered more uneasiness on the occasion than any other person; for, if appearances are not very deceiving, he is a true and active friend of the colonies, and I hope will prove an effectual mediator."

Extract of a letter from a Gentleman in New York, to his friend in Boston, June 6.

"You will soon see the extracts of the resolves²⁴¹ of our Assembly in their last session, respecting Mr. Livingston's²⁴² motion, 'that the House resolve that they concur in sentiment with the last General Assembly with respect to the subject matter of the resolves entered on the journals of that House on the 31st day of December last, and that the said resolution be entered in the journals of this House.' The extract is

printed in the New York Gazette of yesterday, and contrasted with the spirited and animated resolves of the House of Burgesses of Virginia, which you will as much admire as you will despise the other. The latter breathe that noble spirit of freedom, and inflexible firmness, for which that colony has been justly celebrated ever since the beginning of our troubles with Great Britain, and which I dare augur it will continue to exert, notwithstanding all the haruspications, oscinations, pullurations, and divinations, of all the gubernatorial necromancers upon the continent. The former demonstrates that shameful passivity under the most unconstitutional measures, and that contemptible chicanery ultimately to defeat, under colour of deliberately weighing, one of the most necessary and important resolves, which nothing but the fear of a dissolution was capable of inspiring. But let me entreat you, my dear Sir, and all the sons of liberty in your colony, not to be discouraged in your glorious contest for that inestimable jewel, by the conduct of our House. Be assured that they have in this, as in many other instances, counteracted the known sentiments of their constituents. Let us not therefore, firm and immovable as we are, suffer in your opinion by the timidity of our representatives; nor do us the injustice of resorting for an idea of our spirit and principles to a mirror that, instead of a genuine resemblance, will reflect the most hideous and distorted image."

TO THE EARL OF HILLSBOROUGH, 5 AUGUST 1769²⁴³

Private

Williamsburg, 5 August 1769

In consequence of the inclosed from Col. Stephens²⁴⁴ together with No. 21 22 & 23 & No. 10²⁴⁵ to Mr. Stuart all received this morning from your Lordship, I have summoned a Council for next Tuesday; it is my opinion that I shall be advised to issue Writs for a New Assembly & that I shall issue them the day after, as it would be very unpleasant to be invaded by Indians & have no Assembly to apply to, as without them no material Step can be taken; but I mean not to call them together unless in case of absolute necessity, till I receive your Lordship's Commands in consequence of my last very disagreeable Dispatches. When they meet will lay before them His Majesty's Requisition for completing the Indian Line. The City of Williamsburg continues to enjoy a perfect state of Tranquillity.

TO THE EARL OF HILLSBOROUGH, 9 AUGUST 1769²⁴⁶

No. 16

Williamsburg, 9 August 1769

I Yesterday acquainted the Council with the contents of Col. Stephen's letter and Your Lordship's last dispatches, have inclosed minutes of the result of their several deliberations.

Enclosure 1: Colonel Stephen to Lord Botetourt, 29 July 1769²⁴⁷

My Lord

Frederick County, 29 July 1769

We have this moment received the disagreeable advise, that about three hundred Indians, having loiter'd about Fort Pit²⁴⁸ for some time; behaved in so hostile like a manner, that several of the Settlers beyond the Allegany Mountains have left their habitations & Crops, and are come in with their families.

The Savages pretended to be going to War against the Cherokees; received a good deal of Provisions of the Commander of the Kings Troops at Fort Pit, and afterwards went to the Bullock Guard, and drove off many of the Cattle belonging to the Garrison.

I understand there about fifty Men in Garrison at Fort Pit.

We have heard likewise of some disturbance on Green brier.²⁴⁹

The rest of the Settlers beyond the Mountains have assembled together to wait the Event.

They could raise 500 Men but are very scarce of Provisions, which will prevent their making a stand; should the Indians Commit more hostilities. I have the honour to be with the most profound Respect

My Lord

Your Lordships most Obedient humble Servant

Adam Stephen

Enclosure 2: Minutes of the Council, 8 August 1769²⁵⁰

Copy of the Minute of Council upon Col. Stephen's Letter of the 29th of July

His Excellency the Governor communicated to the Council a letter from Col. Adam Stephen dated 29th of July informing of the hostile behaviour of some Indians about Fort Pitt, and of several Settlers beyond the Allegany Mountains having thereupon left their habitations &c Whereupon the Council expressed their surprize that the Indians should so soon discover an hostile disposition after the solemn treaty lately confirmed at Fort Stanwix with Sir William Johnson his Majesty's Superintendant for Indians Affairs in the Northern District; they cannot however help observing that Col. Stephen's information was merely from report, unsupported by any Affidavit, and they incline to think that the mischief done to the Cattle and Horses, if any, was committed by some of the Young Indians, who in their first Sallies out to War are not always to be kept within bounds. They therefore advise his Excellency to give strict charge, agreeably to the conduct his Majesty and his Ministers have directed should be observ'd towards those people, that no injury or Violence be offer'd to the Indians; and if hereafter it should become a serious business, proper measures may be taken for the defence of the Inhabitants, who should be cautioned that if they wantonly draw on a quarrel with the Indians, they will

not be supported by Government. The Council likewise observe that tho' his Excellency's attention ought to be extended to the remotest parts of his Government, yet those people who have settled beyond the Allegany Mountains, not only without any legal Authority but in opposition to all Authority, depending entirely on the friendship and good humour of the Indians, have very little reason to expect protection as they have already had notice by Proclamation they should have none.

Council Chamber August 8th

N. Walthoe Cl. Con.

Another Minute of Council upon the same day.

His Excellency was pleas'd to communicate Contents of a Letter from the Earl of Hillsborough²⁵¹ signifying his Majesty's directions to Mr. Stuart in respect to an alteration of the Boundary Line with the Cherokees. Upon which the Council advis'd his Excellency to have a new Assembly summond, that the Writs for electing the Burgesses bear Teste the 14th of this month, and that a Proclamation may issue the 1st Week in September for calling them together upon the 7th of November.

TO THE EARL OF HILLSBOROUGH, 23 SEPTEMBER 1769²⁵²

No. 17

Williamsburg, 23 September 1769

Your Lordship has made the Governor and Council and Attorney General of Virginia very happy by conveying to them

His Majesty's most Gracious Approbation of their humble Services, and it is with the greatest satisfaction I can assure You that No. 26²⁵³ is exactly the very letter I wished to receive; it will be my fault if I do not avail myself of the Instructions therein contained in the manner I ought and unpardonable in the Colony if they again disappoint the just expectations of their Affectionate Mother Country.

Your Lordship will find by No. 16 that I was on Tuesday the eighth of August advised by the Council to issue Writs for a new Assembly, and I will frankly own that I called them together for that very purpose, for as I thought it certain from the instant I received Your Lordship's letter of the 13th of May that I should by the first opportunity be directed to call a new Assembly, it was exceedingly my wish to convey to the Colony that most agreeable satisfaction the very first possible minute I could properly do so. I did therefore issue Writs the 14th of August and have since fixed the seventh of November for their first meeting.

Mr. Randolph feels as becomes him His Majesty's most Gracious intention of adding two Hundred pounds per Annum to his Salary of Attorney General and I do assure Your Lordship that it is my firm opinion that he will upon every occasion prove himself deserving of this very distinguish'd mark of Royal favour; at the same time give me leave to express my gratitude and thankfulness for the very immediate regard which has been paid to my humble Representation of his

Services.

Mary Dalton and Sarah Gibbs are the two poor Women, the collecting of whose fines of £20 each I have suspended till His Majestys pleasure shall be known, they being utterly incapable of paying any part of them; their Offence was receiving stolen goods taken from Mr. President Blair and for that Offence they had suffered Imprisonment for a twelvemonth when I sat them at liberty.

Have recommended Messrs. Nourse²⁵⁴ and Jonchim Von Tersen²⁵⁵ to Gentlemen of the Colony who are likely to be most usefull to them and will continue to give them every assistance in my power.

TO THE EARL OF HILLSBOROUGH, 30 SEPTEMBER 1769²⁵⁶

No. 18

Williamsburg, 30 September 1769

I have the honour to inclose an Extract from Col. Stephen Dated September 14th with my answer and a Speech of a noted Indian.²⁵⁷

[P.S.] Sir William Johnson not having as yet informed me of His Majesty's having assented to the late Treaty at Fort Stanwix, shall be much obliged to Your Lordship for an account of what has been done relative to that business.

I shall be much disappointed if the House of Burgesses do not willingly agree to defray the expence of the Negotiation necessary for compleating the proposed alteration

of the Boundary Line betwixt this Colony and the Cherokees to which His Majesty has been graciously pleased to consent upon that condition.

Enclosure 1: Extract of a Letter from Colonel Stephen to Lord Botetourt, 14 September 1769, the Speech of a Noted Indian, 10 August 1769, and Extract from Lord Botetourt to Colonel Stephen, 27 September 1769²⁵⁸

My Lord

I received the honour of your Lordships Letter with the proceedings of the Council inclosed. When I troubled your Lordship with that Letter I did not apprehend an immediate Rupture with the Indians, but thought it my duty to give what intelligence I could depend upon, least if any thing had happened between them and Us, your Lordship should have thought me remiss, as I live Contiguous to that Country, and am acquainted with many of the Emigrants.

Your Lordship, by the inclosed Speech, of a noted Indian, will discover the sense of that people, who it seems are disposed to live on good terms with us, if Our Wicked people would let them alone.

I will communicate the Sentiments of your Lordship and Council to the most sensible of the Inhabitants beyond the Mountains, as it will, no doubt, be a great means of binding them to their good Behaviour.

Since the Indian made the inclosed Speech, three profligate fellows of the Inhabitants, have kill'd one Indian, who came to trade with them, and slightly wounded another.

Redstone Creek,²⁵⁹ 10 August 1769

Speech of a Noted Indian

Yesterday an Indian Chief arriv'd at this place call'd the White Mengo, accompanied by some other Indians and having desired a Conference with the Inhabitants of this Settlement. They accordingly met this Day when he made them the following Speech.

Brothers of Redstone, whom we call Virginians, we are again reconciled with the Commander at Fort Pitt,²⁶⁰ and are sorry for the late Confusion in this and the Neighbouring Settlements, occasioned by a Parcel of lies invented and Spread abroad by a few ill designing Rascals, to make disturbance between our Brothers and us.

Some have gone off and left their Plantations and Crops; It is very hard and we are sorry for it. It is all over now, and we have settled all Matters with the Commander at Fort Pitt. It lately looked like quitting hands; but now Brothers of Virginia, our Hearts and Hands are linked together, hold You fast, and depend upon it we will do the same.

The Indians would willingly be persuaded that there never will be war again between them and their Brother Virginians;

We do not know our Brothers Intentions, but have a good heart towards them. Good Brothers of Virginia we desire that You will have a good heart towards Us, & we will always have the same towards You.

Take no Notice of these Lies, These Idle Reports, they are false, grounded without the least appearance of truth. I settled You here, and maintained and protected You; When Your Country Men would have driven You away;²⁶¹ You are my Children and I am Your Father, and your Brother, Therefore You may believe what I tell You. I see You are building Forts, Quit it, You have no occasion for them. I tell You Brother Virginians, what You shall do, write to Your great Man, let him know what I say to You, & make it publick, that all our Brothers, may be satisfied.

My men are often going to War Southwardly, Your people kill them, desire Your Great Man to tell them to quit that, and give Orders to let the Indians Pass without disturbance upon their Behaving well.

Brother Virginians There is an other thing I would mention to You. Your People have stolen some of Our Horses. Get them. I have done the like for You, and will always, and have now sent a Man to the Towns after Horses that have been Stolen from You. I expect he will be back in about Twenty days. This is all I have to say.

Extract from Lord Botetourt's answer to Col. Stephen, 27
September

I am much pleased with the Speech You have sent me and rejoice that the appearance of an Indian War is entirely blown over.

Must intreat You to be very attentive to carry into execution the Laws of Your Country against offenders of every sort, and must likewise desire that You convince all around You that Indians who behave well are equally entitled to Protection with any other of His Majesty's Subjects, that their lives are equally precious, and that all who shall be convicted of murdering an Indian will certainly die.

TO THE EARL OF HILLSBOROUGH, 22 OCTOBER 1769²⁶²

No. 19

Williamsburg, 22 October 1769

I have inclosed an Extract from Col. Stephen Dated October 19th together with my answer and a Copy of a letter I dispatched Yesterday by express to the Commanding Officer at Fort Pitt with ten Copies of the inclosed Proclamation.

Shall be much obliged to Your Lordship if You can procure for Colonel Henry and send to me immediately a Patent under His Majestys Sign Manual to secure to him the sole right of vending his Map of Virginia which he has made perfect at great expence. Mr. Hanbury²⁶³ was desired to apply to You for the above favour but Colonel Henry apprehends that the Long Illness and death of that Gentleman may have probably have kept from Your Lordship all knowledge of his humble request.

Enclosure 1: Extract of a Letter from Colonel Stephen to Lord Botetourt, 27 September 1769²⁶⁴

My Lord

Your Lordship was informed by my last, that some of the worthless part of the Inhabitants over the Mountains had kill'd an Indian since the white Mingo made his Speech to the Inhabitants of Redstone.

There are two more Indians kill'd since that Murder, for particulars, I beg leave to refer Your Lordship to the Bearer Colonel Wilson²⁶⁵ of Hampshire, who commanded a Company of Militia in actual Service, under my direction last Indian War, and behav'd well. And who has at this time, acted with great Spirit as a Magistrate, tho' the prisoner apprehended by his Warrant was rescued, by a Banditti, who, if not checked in time, will be troublesome to Your Lordships Administration.

The Indians very highly resent the Conduct of our people, and threaten immediate Revenge, which if not prevented, will be attended with the most dismal Consequences to this Colony and the Neighbouring provinces.

Pardon me, my Lord, if I presume to inform your Lordship, that the most adviseable Step to be taken at this Crisis, seems to me to be Your Lordship's sending a person of Weight known to the Indians, to assure them in Your Lordship's Name that the behaviour of this Banditti is directly contrary to the sentiments of Your Lordship, and Government of this Colony, and that Your Lordship has issued orders, and pursued the

proper measures for apprehending the Malefactors and bringing them to Condign punishment.

Enclosure 2: Lord Botetourt to Colonel Stephen, 19 October 1769²⁶⁶

I have inclosed a Copy of a Letter to the Commanding Officer at Fort Pitt together with Copies of a Proclamation which I have issued by advice of a full Board of His Majesty's Council, I must likewise beg leave to inform You that the Attorney General has been directed immediately to prosecute all those concerned in the rescue of Henry Judey,²⁶⁷ whose names shall be returned by Col. Wilson, together with the names of the Witnesses who shall be willing to appear against them. We depend upon the fullest Assistance from You and the Gentlemen of Your County both as Magistrates and Officers of Militia towards bringing to justice all concerned in the late Outrages, and trust that You will disperse the inclosed Proclamations by all possible means, as we are unanimously of Opinion that the Indians can only be perfectly satisfied, and the Banditti You so justly complain of be kept within due bounds by securing for punishment and inflicting the utmost rigour of the Law upon all those who shall be convicted of disturbing the public Peace.

Enclosure 3: Lord Botetourt to the Commanding Officer at Fort Pitt, 19 October 1769²⁶⁸

Information having been given me by Col. Stephen and others, that many Indians have lately been murder'd, by certain Banditti belonging to this Government, I have by advice of his Majesty's Council issued the inclosed Proclamation, in order to give satisfaction to the Indians, to evince to all the World our Abhorrence of the late Outrages, and to demonstrate that we will do our utmost to bring the Murderers to justice. That these good purposes may be effectually answer'd, I must intreat that You publish the Contents of the Proclamation in the best manner You are able, and that You acquaint the Indians of Your Neighbourhood and all You shall see that all who offend them will be punished as soon as convicted, and that every possible protection will be given to all those who behave in a peaceable and becoming manner. I must likewise beg leave to assure You that His Majesty will esteem as meritorious Service, every Assistance You shall give towards bringing to justice the late Disturbers of the Public Peace.

Enclosure 4: Proclamation for the Apprehension of Henry Judey and John Ryan, 19 October 1769²⁶⁹

Virginia, sc.

By his Excellency The Right Honourable Norborne Baron de

Botetourt, his Majesty's Lieutenant and Governor General of the said Colony and Dominion, and Vice Admiral of the same.

A Proclamation.

Whereas I have received Information upon Oath, that several Indians of the Six Nations, have been murdered within the Limits of this Government, in open Violation of the Laws of this Colony, and contrary to the Treaties known to subsist between his Majesty and those People: That the Perpetrators of these atrocious Offences may be punished according to their Demerit, I have thought proper, by and with the Advice of his Majesty's Council, to issue this Proclamation, in his Majesty's Name, hereby offering a Reward of One Hundred Pounds, for the apprehending and bringing to Justice, each of the following Persons, to wit, Henry Judey and John Ryan,²⁷⁰ otherwise called Crow Ryan, charged with being principally concerned in the said Outrages, and Fifty Pounds for every one who shall be convicted of having been aiding or assisting therein. And I do hereby strictly require and command all Sheriffs, Under Sheriffs, Constables, all Officers Civil and Military, and all his Majesty's other Liege People, to be aiding and assisting in apprehending and bringing to Justice the said Offenders. Given under my Hand, at Williamsburg, this 19th Day of October, 1769, and in the Ninth Year of his Majesty's Reign.

Botetourt.

TO THE EARL OF HILLSBOROUGH, 8 NOVEMBER 1769²⁷¹

No. 20

Williamsburg, 8 November 1769

I have the honour to inclose a Copy of my Speech delivered at the Capitol on Tuesday the 7th of November 1769.

Enclosure 1: Speech of Lord Botetourt to the Council and House of Burgesses, 7 November 1769²⁷²

Gentlemen of the Council, Mr. Speaker and Gentlemen of the House of Burgesses.

I have again received the Kings Commands to meet You in General Assembly for the dispatch of the Publick Business of this Dominion, and I hope I need not observe to You that this will be best done by Temper and Moderation.

I assure You that I shall obey my Royal Master's Commands with the truest satisfaction, by concurring with You in such Measures as may best promote the happiness of His Majesty's Subjects in Virginia.

Mr. Speaker and Gentlemen of the House of Burgesses.

The King having been Graciously pleased at our earnest desire, to refer to His Board of Trade to reconsider the Boundary Line betwixt this Colony and the Cherokees, which had been agreed to by that Board, I am directed to acquaint You that in consequence of that Reference and Reconsideration, a Report has been made in favour of a more extended Boundary,

and that His Majesty will consent to the proposed alteration, upon condition that the Colony will make Provision to defray the expence of the Negotiation necessary for that purpose.

I have it therefore in Command from His Majesty to ask of His House of Burgesses, to enable him to carry into immediate and compleat execution, that very desirable Object.

The proposed Alteration together with a Rate of the expence which I am told will necessarily attend it, shall be immediately laid before You.

I must likewise beg your attention to many alarming reports which have been received from the Frontier Counties of this Colony; I will lay the whole before You with a state of every thing which has been done in consequence of those accounts, and shall be supremely happy if You can suggest to me any mode of proceeding, by which the sacred Laws of Our Country may again recover that free Course which can alone give permanence and security to this respectable Government.

[Gentlemen of the Council, Mr. Speaker and Gentlemen of the House of Burgesses

I think myself peculiarly fortunate to be able to inform You that in a Letter dated May the 13th I have been assured by the Earl of Hillsborough that His Majesty's present Administration have at no time entertained a design to propose to Parliament to lay any further Taxes upon America for the purpose of raising a Revenue and that it is their Intention

to propose in the next Session of Parliament, to take off the Duties upon Glass, Paper, and Colours, upon consideration of such Duties having been laid, contrary to the true Principles of Commerce.

It may possibly be objected that as His Majesty's present Administration are not immortal, their Successors may be inclined to attempt to undo what the present Ministers shall have attempted to perform; and to that Objection I can give but this answer, that it is my firm Opinion that the Plan I have stated to You will certainly take place and that it will never be departed from, and so determin'd am I for ever to abide by it, that I will be content to be declared Infamous, if I do not to the last hour of my life, at all times, in all places, and upon all occasions, exert every power with which I either am or ever shall be legally invested, in order to obtain and maintain for the Continent of America that satisfaction, which I have been authorized to promise this day, by the Confidential Servants of our Gracious Sovereign, who to my certain knowledge rates his Honour so high, that he woud rather part with His Crown, than preserve it by Deceit.]

TO THE EARL OF HILLSBOROUGH, 9 NOVEMBER 1769²⁷³

No. 21

Williamsburg, 9 November 1769

I have the honour to inclose Addresses from the Council and House of Burgesses which were presented to me this day at

the Capitol with my answers to each.

[P.S.] I must beg your Lordship to order one of Your Clerks to put 20 upon the top of my last dispatch as from extream hurry of business I must fear that that circumstance was forgot.

Enclosure 1: Address of the Council and Lord Botetourt's Answer, 9 November 1769²⁷⁴

To his Excellency the Right Honourable Norborne Baron de Botetourt his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia and Vice Admiral of the same,

The humble Address of the Council

My Lord,

We his Majesty's dutiful Subjects the Council of Virginia, now met in General Assembly, return your Excellency our sincerest thanks for your kind Speech at the opening of this Session, and for the opportunity you have afforded us of dispatching the public business of this Dominion. Your Excellency may be assured that the several matters you have so earnestly recommended to the Legislature at this time, will be attended to, and consider'd by the Council with all the temper and moderation which the importance of them requires; and that we shall give a chearful and ready compliance with all such measures, as may best promote the honour of the

Crown, and the happiness of his Majesty's Subjects of Virginia.

[The information your Excellency has been pleas'd to give us of the intention of his Majesty's Ministers to propose in the next Session of Parliament to take off the duty upon paper, glass, and colours, is extreamly agreeable to us; as a repeal of the Revenue Acts will be the most effectual method to heal the differences, that have unhappily subsisted between Great Britain and her Colonies, and to restore that harmony and mutual confidence, which are so necessary for the welfare and prosperity of both. We acknowledge with particular satisfaction that our most sanguine expectations upon your Excellency's arrival in the Colony have been fully answer'd by the experience we have already had of your prudent, wise, and equitable Administration; and we look upon it as a sure presage of happiness to this Country.]

Gentlemen of the Council:

I accept with the utmost thankfulness your very Affectionate Address and am proud to acknowledge that I stand indebted to your able and friendly Council, for that degree of credit with which I have been honour'd by this Respectable Dominion.

Enclosure 2: Address of the House of Burgesses, Accepted 8
November 1769 and Delivered 9 November 1769, and Lord
Boutetourt's Answer, 9 November 1769²⁷⁵

To his Excellency the Right Honourable Norborne Baron de
Botetourt, his Majestys Lieutenant and Governor General of
the Colony and Dominion of Virginia and Vice Admiral of the
same.

The humble Address of the House of Burgesses.

My Lord

We his Majesty's most dutiful and Loyal Subjects the
Burgesses of Virginia now met in General Assembly beg Leave
to return Your Excellency our sincere and unfeigned Thanks for
your very kind and affectionate Speech at the opening of this
Session.

It gives us great Pleasure that we have again the Honour
of meeting Your Lordship in General Assembly, as it affords
us an opportunity of renewing to Your Excellency the strongest
Assurances of our uninterrupted and most inviolable Attachment
to the sacred Person and Government of our Royal Sovereign,
and at the same time of discharging the important Duties, we
owe to our Constituents.

[We should think ourselves extremely deficient in Duty
and Affection to the best of Kings were we not deeply impress'd
with the warmest Sentiments of Gratitude by his Majesty's
most gracious purpose of recommending to his Parliament a
Repeal of the Act imposing Duties upon Glass, Paper and

Colours, expecially as we cannot doubt but that the same Wisdom and Goodness, which have already induced his Majesty favourably to regard the humble Entreaties of his faithful Subjects in America, will still farther incline the Royal Breast to an exertion of his Majesty's gracious and benign Influence towards perfecting the happiness of all his People.

It adds greatly, my Lord, to our Satisfaction and Comfort to learn from Your Excellency that his Majesty's present Administration have at no time entertained a Design to propose to Parliament the laying any farther Taxes upon America for the purposes of raising a Revenue, and we will not suffer our present Hopes, arising from the pleasing Prospect your Lordship hath so kindly opened and displayed to Us, to be dashed by the bitter Reflection that any future Administration will entertain a Wish to depart from that Plan, which affords the surest and most permanent Foundation of public tranquility and happiness; no, my Lord, we are sure our most gracious Sovereign, under whatever Changes may happen in his confidential Servants, will remain immutable in the ways of Truth and Justice, and that he is incapable of deceiving his faithful Subjects; and we esteem Your Lordship's Information not only as warranted, but even sanctified by the royal word.

Your Lordship's great Regard and Attention to the Welfare and true Interest of this Colony had before endeared You to us all; but your generous and noble Declarations upon this Occasion demand our warmest and most grateful Acknowledgements.]

We will, my Lord, immediately take under our most serious Consideration the important business, upon which we are now assembled, especially that part of it, you have been pleased particularly to recommend, we will proceed with that Temper and Moderation, which is necessary to give Weight and Dignity to our Deliberations; and we do assure your Lordship that we shall think ourselves supremely happy, if, in conducting the arduous and momentous Affairs of this great Country, we should in the end receive the approbation of a Ruler we so very Cordially honour and esteem.

Mr. Speaker and Gentlemen of the House of Burgesses,

Your kind and Affectionate Address brightens my prospect, and fills me with the delightful Expectation of compleatly answering the purposes of my Royal Master.

May the Almighty secure to me that most desireable object, by directing your Councils for the advantage and Prosperity of all His Majestys extensive Dominions, and may You continue a Loyal, free and happy People till time shall be no more.

TO THE EARL OF HILLSBOROUGH, 11 NOVEMBER 1769²⁷⁶

No. 22

Williamsburg, 11 November 1769

I have the honour to inclose an Account of His Majestys Revenue of 2s. per Hogshead &c. arising within this Colony of Virginia from the 25th of April 1769 to the 25th of October following.

Enclosure 1: The Account of the Revenue from Tobacco, 25 April
1769 to 25 October 1769²⁷⁷

The Account of his Majesty's Revenue of 2s. Per Hogshead &c.
 Arising within this Colony of Virginia from the 25th of April
 1769 to the 25th of October following.

The Receiver General doth Charge himself
 with the Receipt of the said Revenue as follows.

To the Account of the Upper District of James River	£	1314.	17.	2
The Account of the Lower District of James River		447.	8.	--
The Account of the District of York River		655.	12.	2
The Account of the District of Rappahannock River		942.	18.	8
The Account of the District of South Potomack		806.	18.	1
The Account of the Port of Accomack		14.	5.	6
The Account of sundry Rights of Land Sold		346.	--	8
The Account of Fines and Forfeitures				
	£	4528.	--	3

The Receiver General doth Discharge himself
 By the Payment of the following Sums.

By Balance of the last Account	£	536.	8.	7
By a Warrant for half a Years Salary to the Governor		1000.	--	--
By a Warrant for Ditto to the Gentlemen of the Council		600.	--	--
By a Warrant to the Judges and other Officers of the Court of Oyer & Terminer		100.	--	--
By a Warrant to the Honourable & Reverend Robert Cholmondeley Auditor of the Plantations for half a Years Salary		50.	--	--
By a Warrant to James Abercrombie Esqr. Solicitor of the Virginia Affairs for Ditto		100.	--	--
By a Warrant to John Randolph Esqr. his Majesty's Attorney General for Ditto		35.	--	--
By a Warrant to Nathaniel Walthoe Esqr. Clerk of the Council for Ditto		75.	--	--
By a Warrant to the Adjutants for half a Years Salary		160.	--	--
By a Warrant to James Anderson Armourer for Ditto		6.	--	--
By a Warrant to the Gunners of the Batteries for Ditto		12.	10.	--
By a Warrant to the Ministers for their Attendance one General Court and Assembly		10.	--	--
By a Warrant for Repairs done to the Governors House		505.	2.	7
By a Warrant for Contingent charges		391.	11.	1
By Allowance of 1/2 Per Cent on £1479.13.7 for Negotiating the same in Bills of Exchange in London		7.	8.	--

By Allowance to the Auditor at 5 Per Cent on £4528.--.3	226.	8.	--
By Allowance to the Receiver General on the same Sum	226.	8.	--
So that the Sum Disburst amounts to	£ 4041.	16.	3
And there will remain due to Balance this Account	486.	4.	--
Rd. Corbin D R G	£ 4528.	--	3

I have Examined the within Account of his Majesty's Revenue Commencing the 25th of April 1769 and ending the 25th of October following and have Compared every Article with its proper Voucher produced by Richard Corbin Esqr. Receiver General and find the same truly Stated and that there is due to his Majesty's Revenue for balance thereof four hundred eighty six Pounds four Shillings Sterling.

John Blair D. Audr.

November 6th, 1769

The within Account Compared and Examined by John Blair Esqr. Deputy Auditor was produced to me in Council and Sworn to by Richard Corbin Esqr. Receiver General.

Botetourt

TO THE EARL OF HILLSBOROUGH, 30 NOVEMBER 1769²⁷⁸

No. 23

Williamsburg, 30 November 1769

I must intreat Your Lordship to implore His Majesty to issue His Royal Proclamation for permitting Copper Money²⁷⁹ to be brought in and pass in this Colony at 25 per Cent which is the allowed difference betwixt the Gold and Silver of this

Province and that of Great Britain.

I have inclosed a Copy of the Address from the House of Burgesses which has engaged me to beg Your Lordship to lay the above Petition at His Majestys feet.

Enclosure 1: Resolution of the House of Burgesses, 15

November 1769²⁸⁰

November the 15th 1769

By the House of Burgesses

Resolved, That an humble and dutiful Address be presented to his Excellency the Governor expressing our Abhorrence of the cruel and inhuman Murders of the Indians on the Frontiers of this Colony; returning our Thanks for the Steps, which his Excellency hath already taken, and desiring that he will be pleased to pursue such other Legal Measures, as his Lordship may judge most conducive and proper to bring the Offenders, and all those concerned in rescuing them from the Hand of Justice, to exemplary and condign Punishment, and assuring his Lordship, that we so entirely concur with him in Opinion, as to the Necessity of giving Stability and permanence to this Respectable Government, that we will upon all Occasions exert our utmost Efforts in seconding his Lordship's Endeavours to preserve the Laws of our excellent Constitution inviolate.

Enclosure 2: Resolution of the House of Burgesses, 20November 1769²⁸¹

Monday the 20th November 10th George 3d 1769

By the House of Burgesses

Resolved That an humble Address be presented to his Excellency the Governor, to use his kind Offices with His Majestys to issue his Royal Proclamation for permitting Copper Money to be brought in, and pass in this Colony.

Order'd that Mr. Harrison, Mr. Eyre and Mr. Bland²⁸² do wait on his Excellency with the said Resolution.

G. Wythe²⁸³ Cl. H. BTO THE EARL OF HILLSBOROUGH, 12 DECEMBER 1769²⁸⁴

No. 24

Williamsburg, 12 December 1769

Colonel Thornton²⁸⁵ one of His Majestys Council having died last week, I have in Obedience to my Instructions the honour to send to Your Lordship the names of three Gentlemen who are all worthy to succeed him, the Reverend Mr. Commissary Horrocks, Dudley Digges²⁸⁶ and Lewis Burwell²⁸⁷ Esqrs., but I must intreat Your Lordship to implore His Majesty's appointment for the first, as it is my opinion that the Commissary ought always to be of the Council and am certain that Mr. Horrocks is in every particular exactly the Person you woud wish to place there.

TO THE EARL OF HILLSBOROUGH, 18 DECEMBER 1769²⁸⁸

No. 25

Williamsburg, 18 December 1769

I have the honour to inclose Addresses from the Council and House of Burgesses together with a Memorial from the H: of B: and reasons for allowing salt to be imported from Europe into the Southern Colonies, from the whole of which Your Lordship will perceive the most perfect Devotion to His Majesty and his Government and that nothing can exceed the harmony and good humour which at present subsist betwixt every part of the Legislature. It would be presumption in me to attempt to advise, but I must implore your leave to beg and intreat that You do again and again consider our Humble Petitions, and that You do your utmost to obtain from our Royal Master immediate and compleat allowance of every thing we have asked. Inclosed is a Copy of a letter to Mr. Stuart which shall be sent to him by express.

Enclosure 1: Address of the Council to Lord Botetourt, 13
December 1769²⁸⁹

To his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governor General, and Commander in Chief of the Colony and Dominion of Virginia, and Vice Admiral of the same,

The humble Address of the Council.

My Lord,

As Your Excellency hath now resided above a twelvemonth among us, during all which time You have given an unwearied attention to the business of the Country, You are enabled to form a good judgment of the propriety and reasonableness of our present application. By a law²⁹⁰ of this Colony we are constituted Judges of the Supreme or General Court, without any fees, perquisites, or other appointment for our Services, than what his Majesty and his Royal Predecessors have from time to time been pleas'd to direct should be paid to us. At first in the infancy of the Country, the allowance was very small, but it has at different times upon application been enlarg'd to Twelve Hundred Pounds Sterling per annum, which is distributed in proportion to the attendance of the several Judges, and may be reckon'd One Hundred Pound to each. But from the increase of business, and the advanced price of every necessary of life, this Sum hath been found not only an inadequate compensation for our Services, but really insufficient to defray the necessary expences of our travelling to, and from the Seat of Government, from which many of us live very remote, and of our attendance there. We therefore entreat your Excellency would be pleas'd to recommend it to our gracious Sovereign to make us such further allowance for our trouble and expences as he in his great wisdom shall think reasonable; and humbly propose that the Sum of Twelve Hundred Pounds Sterling should be added. But as our former allowance

hath been paid out of the Impost of two shillings per Hogshead on Tobacco, and fifteen pence per Ton on Shipping, we fear that Fund will not admit of any addition to our Salaries; and indeed, so sensible are we of the necessity that a ballance should always remain in the hands of the Receiver General, to defray unavoidable contingent expences, that we would rather wave our pretensions, than draw from thence more than can conveniently be spared. We cannot therefore point out any other Fund, except his Majesty's Quitrents of two shillings sterling per Hundred Acres, which by the wise regulations of the Officers in that department, are become very considerable, and which, by a late acquisition of an extensive Territory from the Indians, must soon be very greatly increased.

Enclosure 2: Resolution of the House of Burgesses, 7 December 1769, and Lord Botetourt's Answer, 8 December 1769²⁹¹

Wednesday the 7th December 10th George III 1769

By the House of Burgesses.

Resolved, That an humble Address be presented to his Excellency the Governor requesting that He will be pleased to inform this House whether the faith of Government is now engaged to confirm any order of Council for granting of Lands lying between the Allegany Mountains, and a Line that may be run from the Western termination of the North Carolina Line, to the Confluence of the Ohio with the Mississippi, the terms

of which orders have not been complied with, and that he will be pleased in future to discourage all Monopolies of Lands within this Colony.

G. Wythe Cl. H. B

Lord Botetourt's Answer.

That the Faith of Government is not engaged to confirm any orders of Council, the terms of which orders have not been complied with, unless in those instances in which it shall appear, that the Persons concerned have been interrupted by unavoidable Necessity.

The House of Burgesses may depend upon Lord Botetourt's representing against Monopolies in the strongest Manner possible, and that he will for ever discourage that pernicious Practice by all means in his power.

Enclosure 3: Memorial of the House of Burgesses, 13 December 1769²⁹²

To his Excellency the Right Honourable Norborne, Baron de Botetourt, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same.

The Memorial of the House of Burgesses humbly represents

That your Memorialists having paid the earliest Attention to your Lordship's Speech at the Opening of this Session have taken under their most serious Consideration that very

interesting Part of it, which relates to the Report of the Right Honourable the Board of Trade and Plantations to his Majesty respecting the Extension of the Boundary of this Colony to the Westward; and, as your Memorialists are extremely solicitous on all Occasions to stand fair in the royal Opinion of their most gracious Sovereign, they humbly presume to lay before your Excellency their Reasons for not immediately complying with his Majesty's Requisition communicated to them by your Lordship in such very polite and engaging Terms.

Sensible as your Memorialists are of the many signal Advantages, which would redound, as well to his Majesty as to several of his American Colonies, they should think themselves blind to their duty and Interest, if they did not receive with all Thankfulness your Lordship's Information of the Benefits intended to them by his Majesty's gracious approval of a more extended Boundary, than had been proposed by the Superintendant of Indian Affairs in the Southern Department; but they flatter themselves that a Revision of the Subject, if his Majesty would once more be pleased to condescend to take it under his princely Consideration, would convince his Majesty that his most gracious Purpose cannot be answered by establishing the Line proposed.

Your Memorialists beg leave to observe that the said Line, if extended from the Intersection of Holston's River,²⁹³ the Point, which would terminate the Line dividing this Colony from North Carolina, to the Mouth of the Great Kanhaway, would

be near two hundred Miles in length and must pass thro' a Country abounding with high and rugged Mountains, extremely difficult and dangerous of Access and intersected by many Water Courses; that the present Posture of Indian Affairs would make a strong Guard of armed Men necessary for the Protection of those, who might be commissioned to run such Line, as it must necessarily pass thro' a Country uninhabited and thro' which those Indians, who seem at present most inclined to Hostilities, do frequently take their Routs;

That by establishing such Line a great Part of that most valuable Country lying on the Ohio below the Mouth of the great Kanhaway, lately ceded to his Majesty by the Northern Indians, would be separated and divided from the British Territory on the upper Part of Holston's River, the great Kanhaway and the Ohio, which your Memorialists humbly conceive must greatly impede and may totally prevent the Settlement of that fertile and extensive Country, which, from its Situation and many natural Advantages, would open the fairest Prospect of a very beneficial Commerce to our Mother Country, by securing to his Majesty's Subjects a new and extensive Trade with the several Tribes of Western Indians, which has hitherto been almost engrossed by the Subjects of France; and by this Means many Indian Nations, heretofore living at Enmity with our most gracious Sovereign and his Subjects, might be made friendly and useful in extending the Trade and Navigation of Great Britain.

That your Memorialists have the greatest Reason to fear that the said Line, if confirmed, would constantly open to the Indians and others, Enemies to his Majesty, a free and easy Ingress to the Heart of the Country on the Ohio, Holstons River and the Great Kanhaway, whereby the Settlements, which may be attempted in those Quarters, will, in all probability, be utterly destroyed and that great Extent of Country, from the Mouth of the Kanhaway to the Mouth of the Cherokee River extending Eastward as far as the Laurel Hills²⁹⁴ so very lately ceded to his Majesty and to which no Tribe of Indians, at present, sets up any Pretensions, will be entirely abandoned to the Cherokees, in Consequence of which Claims totally destructive of the true Interests of his Majesty may at some future Time arise, and acquisitions justly ranked amongst the most valuable of the late War, be altogether lost.

Your Memorialists farther beg Leave to represent to your Lordship that Lands, which have been granted by Patents regularly obtained according to the known and fixed Rules of this Government, if the said Line were to take Place would be entirely dismembered from this Colony, allotted to the Indians and entirely lost to the Proprietors, who were authorised by Law and encouraged by the royal Instructions of his late Majesty to his Governor to explore and settle this new Country at the Risque of their Lives and at a great Expence.

Your Memorialists, from these weighty Considerations, have been induced to extend their Views and do humbly offer as

their Opinion that a Line beginning with the Western Termination of the North Carolina Line and running thence in a due West Direction to the River Ohio, may be accomplished at a much less Expence than the other Line proposed; that the Extension of such a Line is necessary for the Safety and Advantage of his Majesty's Subjects, and that it would tend greatly to the Increase of his Majesty's Revenue and to the Promotion of the Trade and Navigation of the Western part of this Dominion, if a Purchase were made of the Cherokee Indians of all their Lands, which such due Western Line would include; especially if his Majesty would be graciously pleased, in his royal Wisdom, to discourage all Monopolies of those Lands and strengthen our Barrier by granting them in small or moderate Quantities to such Adventurers, as might incline to seat and settle the same.

Your Memorialist, for the better Illustration of the foregoing Observations beg Leave to lay before your Excellency as exact and Perfect a Plan²⁹⁵ of that Part of the Country, as they, at present are able to procure, and humbly submit the whole Matter to your Excellency's Judgment.

From such Representation as your Excellency may think fit to make, we presume to flatter ourselves that his Majesty will be graciously pleased to order a Suspension of any other Line, that may affect the very numerous Settlements of his Subjects to the Eastward of that now proposed, til the Matter is reconsidered, and fully and clearly understood.

Enclosure 4: Resolution of the House of Burgesses, 9December 1769²⁹⁶

Saturday the 9th of December 10 Geo. III 1769

By the House of Burgesses.

Resolved, that an humble Address be presented to his Excellency the Governor, assuring his Lordship that this House is impressed with a most grateful Sense of his Excellency's generous and kind assurances of Friendship for America in general and this Colony in particular; that thus encouraged, the House wish his Excellency would be pleased to use his good Offices with our most gracious Sovereign for an application to Parliament that this and the other Colonies may be indulged with the same free importation of Salt from Europe, that is now extended to the Colonies, North of Maryland, Nova Scotia excepted;²⁹⁷ the use of such Salt being rendered by the heat of this Climate indispensably necessary, as well for preserving Meat in the hot Months as for curing Fish with which our numerous Rivers do greatly abound. This reasonable Indulgence being disallowed his Majesty's faithful Subjects in the Southern Provinces are unhappily deprived in great measure, of Advantages which Nature has furnished and are prevented from prosecuting a useful and advantageous Branch of Commerce.

G. Wythe C. H. B.

Enclosure 5: Reasons of House of Burgesses for the Free
Importation of Salt, Undated²⁹⁸

Reasons for Liberty to import Salt from any Part of Europe directly into his Majesty's Colonies in America.

We have Twelve different Colonies on the Continent of North America: Four of the, viz. Pensilvania, New York, New England, and Newfoundland, have Liberty to import Salt from any Part of Europe directly. The other Eight, viz. Virginia, Maryland, East and West Jersey, North and South Carolina, Georgia, and Novia Scotia, as well as all the West India Islands, are deprived of it.

At present those Colonies in whose Behalf the Petition is given, are supplied with Salt from the Isle of Mayo²⁹⁹ in Africa, Sal Tortuga,³⁰⁰ and Turks Island³⁰¹ in America, also a little from England; but are deprived of the only Salt that answers best for the Principal Use, viz. to preserve Fish and other Provisions, Twelve Months, or a longer time. What they have from Great Britain is made from Salt-water by fire; which is preferred for all domestic Uses. The African or American Salt is made from Salt-water by the Sun; which is used for curing and preserving Provisions. The first, made by Fire, is found, by long Experience, in warm Climates, to be too weak; the Provisions cured with it soon turn rusty, and in Six or Eight Months become unfit for Use. The second Kind, by the Quantity of Alum, or some other vicious Quality in it, is so corrosive, that in less than Twelve Months, the Meat

cured with it is intirely deprived of all the Fat, and the Lean hardened, or so much consumed, as to be of little Service. The same ill Qualities are found in these Salts with regard to Fish.

In all Countries where a Benefit can arise by Fish or Provisions, Salt must be cheap; and as it's Value where made, is from Ten to Twenty Shillings the Ton, so the Carriage of it to America is often more than the Real Value: It is in order to save part of the Expence of Carriage, this Application is made; for altho' some Gentlemen do not seem to know it, yet we have Liberty, by the present Laws in force, to carry any kind of European Salt to America, the Ship first coming to an English Port, in order to make an Entry of it.

We have also Liberty to bring it from any Salt Island in Africa or America, but by the Act 15 Car. 2 Chap. 7.³⁰² Salt is supposed to be included under the Word Commodity; whereby it is, with all other European Goods, prevented from being carried to America, unless first landed in England; the Consequence whereof is, that English Ships, which (I shall suppose) are hired to Sail from London to Lisbon with Corn, and thence proceed to America, have not Liberty to carry Salt in place of Ballast, and are therefore under a Necessity to pay above £10 Sterling at Lisbon for Ballast (that is to say for Sand), which they carry to America, or else return to England in order to get a Clearance for the Salt; which would be more Expence that it's Value.

Now had they Liberty to carry Salt directly to America, they would not only save the Money paid for the Sand, but also gain by the Freight of Salt perhaps £60 or £80 more: Thus on an Average, every English Ship that goes now empty from those Ports to America, might clear £70 and there are above an Hundred Sail go that Voyage every Year: This is an Annual Loss of £7000 at least; and besides, as the Ship looses no times in this Case (Salt being as soon taken in as Sand), they could afford to sell the best Salt as cheap in America as is now paid for the worst; for as a Ship must make a long Voyage on purpose to get, and make it in the Salt Islands, so the Expence thereof is more than the Value of the Salt at Lisbon, St. Ubes,³⁰³ &c.

At present a Ship owned by Americans can, and often does, sail from Pensilvania or New York, with Wheat to Lisbon, &c, and returns directly (without coming to England) loaded with Salt, by which they clear, at a Medium £60 on the Voyage back to New York, &c, whereas a Ship, owned by Merchants in England, that carries Wheat to Lisbon &c. and from thence sails to Virginia, Carolina, &c. is not only deprived of that Benefit, but also put to the Expence of giving about £10 or £15 for Sand to ballast with.

No Reason has been assigned, why this Liberty is given to American Ships, whose Cargoes hurt the Sale of our Wheat, and whose Vessels are fitted and victualled in America, and yet should be refused to British Ships, fitted and victualled

at Home, who are not only exporting our own Corn, but going to America, in order to return loaded with Tobacco, Rice, Sugar &c. from thence to Great Britain.

This Matter is therefore brought to a Short Issue; for if the Liberty now asked, and already granted to Four Colonies, is useful it should be granted to all the others.

If it is found detrimental to Great Britain, then no Colony should be allowed it.

The Benefits that would arise, by granting the Liberty requested, are obvious; for Our Ships going out with Corn, to Places in Europe where Salt is made, and thence to America, would save £10 and gain £60 in all £70. In consequence, they could afford to carry our Corn out Cheaper from England to these Ports; and the lower the Freight is, the greater Price can be given here for Wheat.

The Planters in North America would then have the best Salt cheapest, and thereby be able to supply themselves, as well as his Majesty's Navy in those Parts; with better and cheaper Provisions than they can at present.

We at this Time, pay a large Sum to Foreigners for their Sand, in place of which we may then take Salt: now as we must pay them Money for Ballast, the Question is, which is best to get for it, Salt, or Sand?

The only Objections alleged against the Petition are;

First, It will encourage Smuggling of European Goods into America.

Secondly, it will prevent the Consumption of British

made Salt in our own Colonies.

In Answer to the first Objection;

The Ships that now Sail to America with Sand ballast, can smuggle with less Danger than those which have Salt; for as the Master of every Ship that Smuggles forfeits Ship and Cargo, so those who have Fifty Tons of Salt on Board, will certainly loose more than those who have Fifty Tons of Sand.

But say the Objectors, This would encourage a Ship to go on Purpose. Answer, Those who consider the length of the Voyage, the Expences of Wages, Provisions, Wear and Tear of Ships, Port Charges, &c must know the contrary: For as most kinds of European Goods, upon the exporting from England to America, draw back all the Duty, excepting only Two and a half per Cent on the Value, so this can be no Temptation to any Man in his Senses to run the Risque of Smuggling.

As to the second Objection;

The Colonies are, at present, supply'd with Salt from different Places in Africa and America, which tho' of a worse kind than the Brown or Bay Salt from Europe, yet is, by long experience in these Colonies, found to be preferable to English Salt, for curing and preserving their Fish and Provisions; so that the refusing the Petition cannot increase the Consumption of English Salt, tho' it subjects the Planters (for fear of a Scarcity of the other Kind, which is often the Case) to a needless Expence of House-room, and Waste, that is unavoidable in this Commodity.

If Ships go on Purpose with, or Freight is paid for Salt, it enhances the Price, so as to prevent the Consumption; nor could they take English Salt as Ballast only, were it equally useful; for, should the Vessel prove leaky, it would be all dissolved, and the Ship subject to be overset: Which is not the Case with Foreign Salt, as it will lie a longer time in Water than the usual Course of such Voyages, without any considerable Diminution.

To know the Qualities of the different kinds of Salt used in America, may be an Amusement to a Speculative Man; but seems intirely out of the Question in this Case; for whatever may be said on that Head, long Experience, and the universal Agreement of all from America, as well as former Acts of Parliament, shew, that common white Salt will not answer the uses it is chiefly wanted for there.

As to what is called Lowndes's Brine Salt,³⁰⁴ that, and his many other Projects, seem to be formed on the same Plan with Subtle's³⁰⁵ in the Alchemist; his Scheeme looking as if he only wanted the Money, and left it to others to make the Salt.

Salt can without doubt, be made of any desired Quality; but the Price, the Place of Delivery, and the Quantity to be had of so useful a Commodity, must also be regarded.

We can get Salt at Sal Tortuga, for the raking and putting into our Ships; but the Expence of a Voyage on purpose for it, is greater than to buy it at a place, from whence the

Freight may be all saved: And to have the best Salt on the cheapest Terms is, no doubt, the Intention of this Application, as it certainly was of the other Colonies that have obtained this Privilege.

On the whole, it has proved a real Benefit to all the Colonies that have the Liberty now asked for, and a great loss to those who are deprived of it; which is sensibly felt by them, and will soon be experienced at Nova Scotia, where no Foreign Salt can now be legally imported from Europe, till first brought to England: And as a manifest Advantage will arise to our Shipping of 7 or £8000 per Annum and to our Colonies of a much larger Sum by their Provisions; and this without any loss to the Trade or Revenue of Great Britain.

Enclosure 6: Address of the House of Burgesses, Accepted 13 December 1769 and Delivered 15 December 1769, and Lord Botetourt's Answer, 15 December 1769³⁰⁶

To his Excellency the Right Honourable Norborne, Baron de Botetourt, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same.

The humble Address of the House of Burgesses.

My Lord

We his Majesty's most dutiful and loyal Subjects the Burgesses of Virginia, having, agreeable to our former

Assurances, maturely and deliberately considered your Excellency's Speech, beg Leave to renew our unfeigned Thanks for his Majesty's kind Attention to the Interests of this Colony in so readily approving the Report of the Right Honourable the Board of Trade and Plantations in favour of a more extended Boundary to the Westward. We are persuaded that his Majesty's sole Motive for so doing arose from his most gracious Inclination to promote the Security and Happiness of his dutiful Subjects; but permit us, my Lord, with all Humility and Deference to his royal Wisdom, by an humble Memorial, to express our Apprehensions that his Majesty hath not yet been made properly and fully acquainted with the true Situation of our Frontiers; and suffer us to entreat your Lordship that you will be pleased to lay before our royal Sovereign a more perfect State of the Matter, and endeavour to procure for this Colony such farther Indulgencies in enlarging it's Boundary, as to his Majesty, in his great Wisdom may seem just and Right. On our Parts, we do assure your Excellency that we shall, at all Times, be ready and willing chearfully to comply with every Requisition in our Power, that may tend to promote the Honour and Dignity of his Majesty's Crown, the Extension of his Dominions and the true Interests of this Colony.

But if, unfortunately for this Colony, his Majesty hath already taken his ultimate Resolution to confine his Subjects to the Line proposed by your Excellency, we must humbly acquiesce, and will furnish the two thousand five hundred

Pounds Sterling according to the Estimate you have been pleased to communicate to us.

Lord Botetourt's Answer.

Mr. Speaker and Gentlemen of the House of Burgesses

I will transmit to the Earl of Hillsborough by the very first opportunity the whole of your Reasoning in favour of a more extended Boundary of this Colony to the Westward than that which was last recommended by the Board of Trade, and will intreat his Lordship, to implore His Majesty to indulge His House of Burgesses in every wish of their Hearts which in His Royal Wisdom he shall deem consistent with his Paternal regard for all his People.

Enclosure 7: Lord Botetourt to John Stuart, 18 December 1769³⁰⁷

Williamsburg, 18 December 1769

I have inclosed copies of an Address and Memorial from the House of Burgesses by which you will perceive that they have agreed to the Requisition I have had the honour to make to them by command from the King, but at the same time that they pray for a more extended Boundary than that you have recommended, and intreat that I will again implore his Majesty to reconsider the merits of their humble Petition. In consequence of that their desire I have wrote to the Earl of Hillsborough and earnestly solicited that they may be indulged

to the extent of their wishes. I have likewise acquainted him that I have intreated you not to take a step towards running any Line until you shall have had fresh instructions from his Lordship. It remains that I beg your assistance towards compleating this great work; but should you deem giving that assistance inconsistent with your Duty, shall be obliged to you for your Reasons why this Colony may not be allowed to purchase from the Indians a most desirable Country which would in time add very greatly to the value of his Majesty's Quit-rents.

The Account of his Majesty's Revenue of Quitrents &c. arising within this Colony of Virginia for the Year 1768.

The Receiver General doth Charge himself with the Receipt of the said Revenue as follows.

£18053. -- 10
6. 13. 4

To Balance of the last Account
to the Quitrents of the Northern Neck for the Year 1768
To the Account of Compositions for Escheated Lands

Quitrents for the Year 1768

Counties Names	Number of Acres Paid for	Paid in Money		Sheriffs Allowances	Amount
Amelia	381,843	£381.	16. 10	£38. 3. 8	£343. 13. 2
Augusta	438,000	£438.	-- --	£43. 16. --	394. 4. --
Albemarle	100,000	£100.	-- --	£10. -- --	90. -- --
Accomack	220,000	£220.	-- --	£22. -- --	198. -- --
Amherst	271,760	£271.	15. 2	£27. 3. 6	244. 11. 8
Brunswick	380,000	£380.	-- --	£38. -- --	342. -- --
Bedford	85,000	£ 85.	-- --	£ 8. 10. --	76. 10. --
Buckingham					
Caroline	170,000	£170.	-- --	£17. -- --	153. -- --
Charles City					
Cumberland	210,000	£210.	-- --	£21. -- --	189. -- --
Chesterfield	70,000	£ 70.	-- --	£ 7. -- --	63. -- --
Charlotte	50,000	£ 50.	-- --	£ 5. -- --	45. -- --
Dinwiddie	269,600	£269.	12. --	£26. 19. --	242. 13. --
Elizabeth City	30,502	£ 30.	10. --	£ 3. 1. --	27. 9. --
Essex					
Gloucester	90,000	£ 90.	-- --	£ 9. -- --	81. -- --
Goochland	85,000	£ 85.	-- --	£ 8. 10. --	76. 10. --
Hanover	130,000	£130.	-- --	£13. -- --	117. -- --
Henrico					
Hallifax					

Counties Names	Number of Acres Paid for	Paid in Money	Sheriffs Allowances	Amount
James City	80,000	£ 80. --	£ 8. --	£ 72. --
Isle of Wight				
King William				
King & Queen				
Louisa				
Lunenburg	178,072	£178. 1.	£17. 16.	160. 5.
Middlesex	78,017	£ 78. --	£ 7. 16.	70. 4.
Mecklenburgh	266,401	£266. 8.	£26. 12.	239. 15.
Nansemond				
Norfolk	152,313	£152. 6.	£15. 4.	137. 1.
Northampton	101,553	£101. 11.	£10. 3.	91. 8.
New Kent				
Orange				
Prince George	30,000	£ 30. --	£ 3. --	27. --
Princess Anne	100,000	£100. --	£10. --	90. --
Prince Edward	188,637	£188. 12.	£18. 17.	169. 15.
Pittsylvania				
Spotsylvania	232,213	£232. 4.	£23. 4.	208. 19.
Surry	90,000	£ 90. --	£ 9. --	81. --
Southampton	130,000	£130. --	£13. --	117. --
Sussex	85,000	£ 85. --	£ 8. 10.	76. 10.
Warwick				
York	35,000	£ 35. --	£ 3. 10.	31. 10.
				4256. --
				8
				£22315. 14. 10
				£22315. 14. 10
				Brought Over

Arrears of Quitrents Paid in the Year 1768.

Counties Names	Number of Acres Paid for	Paid in Money	Sheriffs Allowances	Amount
Augusta	140,000	£1140.	£14.	£126.
Albemarle	170,000	£1170.	£17.	£153.
Brunswick	120,441	£120.	£12.	£108.
Ditto	34,000	£34.	£3.	£30.
Bedford	175,000	£175.	£17.	£157.
Ditto	20,000	£20.	£2.	£18.
Buckingham	120,000	£120.	£12.	£108.
Charles City	98,936	£98.	£9.	£89.
Ditto	13,936	£13.	£1.	£12.
Ditto	98,162	£98.	£9.	£88.
Ditto	3,162	£3.	£3.	£2.
Cumberland	184,729	£184.	£18.	£166.
Chesterfeld	31,750	£31.	£3.	£28.
Charlotte	100,000	£100.	£10.	£90.
Goochland	48,860	£48.	£4.	£43.
Hallifax	62,153	£62.	£6.	£55.
Ditto	94,105	£94.	£9.	£84.
Ditto	78,867	£78.	£7.	£70.
Henrico	60,000	£60.	£6.	£54.
James City	70,000	£70.	£7.	£63.
Ditto	37,137	£37.	£3.	£33.
Ditto	28,538	£28.	£2.	£25.
Isle of Wight	18,689	£18.	£1.	£16.
King William	144,211	£144.	£14.	£129.
King & Queen	50,000	£50.	£5.	£45.
Lunenburg	24,900	£24.	£2.	£22.
Northampton	1,553	£1.	£1.	£1.
New Kent	34,789	£34.	£3.	£31.
Princess Anne	128,352	£128.	£12.	£115.
Prince Edward	185,311	£185.	£18.	£166.
Pittsylvania	40,000	£40.	£4.	£36.
Spotsylvania	160,000	£160.	£16.	£144.
Ditto	31,571	£31.	£3.	£28.
Surry	16,915	£16.	£1.	£15.
Southampton	134,173	£134.	£13.	£120.

Sussex	1767	110,000	£110.	--	--	99.	--	--	5
Warwick	1767	42,752	£ 42.	15.	5.	38.	9.	14.	1
Received of sundry Persons in several Counties									2621.
									63.
									13.
									1
									4
									2.
									4

The Receiver General doth Discharge himself

By paid to the Honourable and Reverend Robert Cholmondeley on his Majesty's Warrant one years Allowance ending the 25th of October 1769	£ 150.	--	--	--	--	--	--	--	--
By paid to James Abercrombie Esqr. on his Majesty's Warrant one Years Allowance ending the 21st of September 1769	200.	--	--	--	--	--	--	--	--
By paid to Mr. Commissary Horrocks on his Majesty's Warrant one Years Salary ending the 25th of October 1769	100.	--	--	--	--	--	--	--	--
By two Warrants to the Attorney General for one Years Salary ending the 25th of October 1769	70.	--	--	--	--	--	--	--	--
By his Majesty's Warrant dated at St. James's the 5th day of September 1768 for paying to Thomas Bradshaw Esqr. or to his Assigns	6360.	--	--	--	--	--	--	--	--
By Allowance of 1/2 Per Cent for Negotiating the Bills of Exchange in London	34.	14.							9
By Allowance to the Auditor at 5 Per Cent on £6948.1.6	347.	8.							1
By Allowance to the Receiver General on the same Sum	347.	8.							1
									11
									5
									11
									5

So that the Sum Disburst amounts to
And there will remain due to Balance this Account

Rd. Corbin D R G

£ 7609.	10.	11
17391.	11.	5
£25001.	2.	4

I have Examined the within Account of his Majesty's Revenue of Quitrents for the Year 1768 and have Compared every Article with its proper Voucher produced by Richard Corbin Esqr. Receiver General and find the Charge thereof amounting to twenty five thousand one Pounds two Shillings and four Pence and the Discharge to seven thousand six hundred nine Pounds ten Shillings & eleven Pence both truly Stated So that there is due to his Majesty's Revenue for Balance of this Account seventeen thousand three hundred ninety one Pounds eleven Shillings & five Pence Sterling.

John Blair D. Audr.

December 13th, 1769

The within Account Compared and Examined by John Blair Esquire Deputy Auditor was produced to me in Council, and Sworn to by Richard Corbin Esqr. Receiver General

Botetourt

TO THE EARL OF HILLSBOROUGH, JANUARY 1770³¹⁰

No. 26

Williamsburg, January 1770

I have the honour to inclose in this Box the Acts and Resolves which were passed the day I directed both Houses to adjourn themselves, together with a printed Copy of the Journal of the House of Burgesses and a written one of the Council;³¹¹
I have likewise sent You 2 letters from Mr. Treasurer Nicholas³¹² upon the Subject of Acts passed this Session which immediately relate to the public, as also of one other Act which is to be

proposed when the Assembly meet again in May, and to those letters I must beg the strictest attention, as I have the highest regard for the Treasurer's ability and fair dealing.

Your Lordship may depend upon a written Copy of the Journal of the House of Burgesses by the next London Ship, had I insisted upon a written one at this time, the Acts and Resolves which You will now receive could not have been got ready.

I confess myself extremely anxious for the success of every thing which has been desired by the present Assembly, as I think the whole reasonable, and am certain that my power of serving His Majesty in this Province will greatly depend upon the answers I shall receive to those desires and You must pardon me for adding that if You mean me usefull, you must continue to give me consequence by immediately attending to all my representations.

I must likewise beg leave to observe that You cannot oblige us more than by conveying favour to America through our Channel; By that flattering distinction You will make us a part of Great Britain, and may derive advantages which properly managed and invariably attended to, will be beyond the reach either of time or accident.

[P.S.] I have taken the liberty to send a compleat Set of the Virginia Laws now in force & just published, with an exact table of the Whole, at the public expence. ³¹³

TO THE EARL OF HILLSBOROUGH, 24 JANUARY 1770³¹⁴

No. 27

Williamsburg, 24 January 1770

I have the honour to inclose an Address and Memorial from the Mayor Recorder, Aldermen and Common Council of the City of Williamsburg,³¹⁵ who are extremely alarmed at an avowed intention of Mr. Williams³¹⁶ one of the Inspectors General of America to propose to the Board of Commissioners at Boston to move the Custom House for the Upper District of James River from this City to Bermuda Hundred--about sixty Miles higher up the said River.³¹⁷

There Reasons against his proposal are fully set forth in their Memorial, and I must beg leave to add to those Reasons that I shall for the future have very little Weight in this Country if in consequence of a Report from an Officer of the Customs and against my Representation, the Seat of Government of this Dominion is to be distressed and made subservient to the Convenience of certain Interested Individuals.

I must intreat Your Lordships answer by the very first opportunity as I am truly anxious to be enabled to convey ample satisfaction to His Majesty's Loyal Capital of Virginia, the very first possible minute.

Enclosure 1: Lord Botetourt to the Custom Commissioners at Boston, 28 January 1770³¹⁸

Williamsburg, 28 January 1770

I have the honor to inclose Reasons from the City of

Williamsburg against a proposal of your Officer, Mr. Williams for moving the Custom House for the Upper District of James River to Bermuda Hundred and must intreat that no step may be taken in that measure untill You shall have heard from England upon that Subject, as I have represented against it in the strongest manner I am able both to the Duke of Grafton³¹⁹ and the Earl of Hillsborough.

Enclosure 2: Address & Memorial of the City of Williamsburg.

Undated³²⁰

To his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant and Governor General of the Colony and Dominion of Virginia, and Vice Admiral of the same. The humble Address of the City of Williamsburg
May it please your Excellency

We his Majesty's most dutiful Subjects, the Mayor, Recorder, Aldermen and Common Council-Men of the City of Williamsburg, beg Leave with great Deference and Humility, but at the same time with that Confidence, the Experience we have had of your Lordship's Goodness and unwearied Attention to the Interests of this Colony naturally fills us with, to solicit your kind Patronage, on a Crisis of the greatest Importance.

A Scheeme, my Lord, is now meditated, to prevail with the Commissioners of his Majesty's Customs in America, to give orders for removing from this Place the Custom-House for the upper District of James River, about sixty Miles higher up the

said River, to a Place called Bermuda Hundred.

The Bad Consequences of that Measure, should it be adopted, we beg Leave to represent to your Lordship, in a Memorial subjoined to this our Address; humbly bespeaking your kind Attention thereto, and Favour in laying the same before his Majesty, in such Departments of his Administration, as you may think proper, and in using your Interest for it's receiving a favourable Hearing and Redress.

The Memorial of the City of Williamsburg on the Subject of the above Address.

Your Lordship well knows, that by an Act³²¹ of Parliament passed in the Reign of King Charles the Second, the breaking Bulk, or unlading any part of a Vessels Cargo, before a regular Entry shall have been made with the proper Officers, incurs the Forfeiture of the Vessel, as well as of all the Goods therein contained, which are of European Growth, Manufacture or Production. Should the Custom House therefore be carried up to Bermuda Hundred, whatever Goods shall thereafter be imported for this City, or any other Place below the said Hundred must pass by the very Doors of their Proprietors, in order to attend the Office; where, after a Permit is obtained for unlading, they will be deliver'd to the orders of the several Owners, who must of Course be subject to the very great additional Expence of freighting them back again in smaller Vessels, often in open Boats, at the Risque of great Damage, and even of a total Loss thro' bad Weather,

in the Passage down the River.

Your Memorialists are also of Opinion, that the business of smuggling would thrive not a little, to the Prejudice of the fair Trader, and Diminution of his Majesty's Revenue, from an Adoption of the Measure proposed; there being several Creeks in the lower Parts of the District, very inviting to an illicit Trade; a Circumstance which seems to require the utmost Vigilance of the Officers, which yet it will be impossible for them to bestow unless placed on the Spot.

Your Memorialists, my Lord, humbly apprehend that the Offices ought ever to be at the lower Extremity of the District, as well for the Reasons already assigned as, that if the Officers should be informed, or have any other Reason to suspect a contraband Trade in carrying on, either by Importation or Exportation, they may make Search, in the one Case, before the Persons conce[rned] can have an Opportunity of landing the illicit Articles, and in the other, after every thing is laded, that the Vessel can possibly receive from any part of the District.

Your Memorialists also conceive, that the owners of Vessels, coming here for Freight, will be exposed to no inconsiderable Difficulties and Loss of Time, by the proposed Regulation; for my Lord, there are no less than six Warehouses for Tobacco within the upper District, and below Bermuda Hundred from all of which, Vessels usually take in Tobacco, in their Way down the River and this they can now very conveniently do; because,

the Custom-House being below, they come of Course, to clear out after they have taken in such Tobacco. But this Advantage they must be totally deprived of, by a Removal of the Offices. The Captains will be obliged moreover frequently to call here, to obtain Mediterranean Passes, and Colony Seals to Protests and other Papers, wherever the Custom-House may be fixed; a Circumstance, which strongly points out this as a proper Place, expecially, as under the present Establishment, they can so conveniently deliver and receive Letters and other Dispatches to and from the Governors of the Colony; besides the Opportunity they have of selling their little Cargoes to the Town's People, after Entry at the present Offices. And tho it may be thought expedient, as has been suggested to Your Memorialists, to continue one of the Offices where they now are, yet the trouble and Expence of entering and clearing out at two Offices, so remote from each other, will be intolerable, nor can an Entry in the lower District, avail to unlade in the upper District of the same River, they being as distinct from each other, as either of them is from that of any of the other Rivers.

These, my Lord, are the very weighty Objections which have occur'd to Your Memorialists against the proposed Project.

Nor can they, when they endeavour impartially to view the Matter on the other Side of the Question, discover one single Circumstance of Compensation, for these many and great Inconveniencies, unless perhaps, that it may draw a little Trade to a particular Place, and increase it still or little more, by distressing that of an other. For it is evident from

the Nature of the first Objection your Memorialists have submitted to your Lordship's Examination, that the Absence of the Custom-House from the upper Parts of the District, cannot bring on the Trade of those Parts the same Distress, which the Removal of it from the lower, must inevitably throw theirs into.

The only Reason suggested by the Petitioners for this very extraordinary Alteration is "that the Naval Office, or Custom House for the upper District of the said River is inconveniently situated; that the greater Part of the Trade are under the Necessity of riding near sixty Miles to clear out their Ships, whereby the said Ships are often delayed in prosecuting Voyages", but your Memorialists are warranted from good Authority to deny the Fact; yet even admitting it to be true, it must be consider'd as a very indifferent Reason for removing an Office from a Place where it has been long held, to a Town without Trade or Inhabitants, and to which the Navigation is extremely difficult for large Ships; and we refer to your Lordships Judgment whether the Removal of that single Mischief, will make amends for the Introduction of so many greater Grievances.

Thus without insisting on such private Views as might possibly influence Individuals to solicit the above Removal, and that too, in no very public Manner, We have presumed to submit our Mot[ives] for this Address to You, my Lord, the worthy Representative of the best of Kings, our common Sovereign and Father, always ready to hear and believe, when

his People apply with Reason, humbly beseeching your Lordship to use your Interest for it's receiving a favourable Hearing and Redress, if upon the whole we have had the Happiness of convincing your Lordship, that it deserves it.

John Blair junior Mayor.

TO THE EARL OF HILLSBOROUGH, 26 JANUARY 1770³²²

No. 28

Williamsburg, 26 January 1770

I must beg Your Lordship's immediate directions in what manner to proceed with the unhappy Criminal³²³ mentioned in the inclosed letter from the Judge of His Majesty's Court of Vice Admiralty in this Province, in case he should not be found guilty by the General Court to which he is amenable for the supposed Murder of his Negro Boy.

Enclosure 1: John Randolph to Lord Botetourt, 25 January 1770³²⁴

My Lord.

Williamsburg, 25 January 1770

One David Furguson, late Master of a Snow, belonging to some Gentlemen, at Norfolk, was yesterday brought to the public Gaol, in order to receive his Trial at the succeeding General Court, for the Murder of a negroe Boy, with which he stands charged. He is also accused of having Killed, on the high Seas, in a cruel & undeserved Manner, three of his Mariners. This last offence, can't be tried here, for Want of a Commission

for that purpose. The 28 Hen 8. ca. 15.³²⁵ points out the Mode of Prosecution, where Felonies are committed, within the Jurisdiction of the admiral. In Consequence of this Statute I am inform'd, that Commissions have been sent to some of our Governors, particularly Sir Wm. Gooch, empowering them &c to proceed in Cases of this Nature. I though it my Duty, to mention this affair to your Lordship, leaving it to your better Judgment to determine, whether it wou'd not be expedient for your Lordship to apply, in order to have some Authority delegated, by which such dangerous offenders may be brought to immediate Justice, rather than send them to England, which may afford great opportunities of escaping.

I am your Lordships

most obedient humble Servant

John Randolph

TO THE EARL OF HILLSBOROUGH, 28 JANUARY 1770³²⁶

No. 29

Williamsburg, 28 January 1770

I must beg leave to add to what has been already said in my Dispatches of the 24th of this instant January against Mr. Williams's proposal to move the Custom House for the Upper District of James River from this City, that it is my opinion that he has been stimulated to that measure by the Proprietors and Neighbourhood of Bermuda Hundred who wish to move the Seat of Government to that Quarter and imagine that by moving the Custom House to their Hundred a material Step woud be taken

towards that object of their desires.

The inclosed Advertisement³²⁷ proves to Your Lordship the regard which is paid to His Majestys Interests in this Colony by His Council and Officers of Revenue and I verily believe that every attention of that sort will go on increasing if the Plan I have stated by your Direction be strictly adhered to.

TO THE EARL OF HILLSBOROUGH, 22 FEBRUARY 1770³²⁸

Private

Williamsburg, 22 February 1770

I have the honour to inclose a Copy of a letter from Mr. Stuart and my answer together with a Talk and an Extract from Col. Adam Stephen, by which You may perceive the present disposition of the Indians; what to-morrow may produce no one can say.

I heartily wish that my friend Col. Tryon may succeed to New York as I verily believe him and General Carleton³²⁹ to be the very best Governors upon the Continent; I must likewise beg your attention to Sir William Draper,³³⁰ in a letter I received from him from Charles Town he declared that purposes of a private nature had brought him to America, but it is my humble opinion that good use may be made of him for the publick. Men like him shoud never be neglected; in times like these they are invaluable.

In a Box in the same Ship which is to carry this letter I have sent Duplicates of Acts and Resolves of Assembly, two

explanatory letters from the Treasurer, Journals of both Houses and of the Council together with accounts from Naval Officers.³³¹

Enclosure 1: John Stuart to Lord Botetourt, 13 January 1770³³²

My Lord

Charles Town, 13 January 1770

I am honoured with your Excellency's Letter of 18th December, with the Address and Memorial of the House of Burgesses of the Colony of Virginia, praying for a greater Extent of Boundary, than that pointed out in the report of the Right Honourable the Board of Trade, and directed by his Majesty to be ratified and Marked as signified by the Earl of Hillsborough in his Letter of 13th May 1769.

I must beg your Lordship will be persuaded that in Negotiating a Boundary Line, between the Indian Nations and the different Provinces, I have solely been actuated by principles of Duty, in conforming as nearly as possible to his Majesty's Ideas and Orders, so fully and clearly expressed in his Additional Instructions to all his Governors in 1761,³³³ by his Royal Proclamation of 7th October 1763, and by his Orders relative to the Report of his Board of Trade contained in the Earl of Hillsborough's Letter of 15th of April 1768,³³⁴ which evince His most gracious purpose of protecting and rendering strict Justice to the Indians, thereby to remove their Jealousies and Apprehensions, which our Encroachments on their Hunting Grounds

too well justified, and from which that dissatisfaction and Hostile Disposition which proved so expensive and destructive to his Majesty's Subjects, principally arose. I am therefore extremely mortified, when from these Considerations, my reasoning on the Subject of a more extended Boundary must differ from that of so respectable a Body as the House of Burgesses of the Dominion of Virginia, whose View and Wishes I can have no Motive to Obstruct or Oppose, except what arises from an earnest desire faithfully to discharge the trust reposed in me.

I beg your Lordship's permission to represent, that from the Knowledge of the Disposition of the Indian Tribes, within the Southern District, which my Office of Superintendant has enable me to acquire, I am persuaded the Cherokees will never consent to give up the Territory pointed at in your Assembly's memorial, because

First. A Continuation of the Line dividing your Colony and North Carolina, from the point where it intersects Holsten's River, in a due Western Course, can never touch the Ohio; but will run within less than Sixty Miles of the Cherokee Towns,³³⁵ and fall upon the Cherokee River a little below Chuola,³³⁶ or the Chickasaw Landing.

Second. Said Line would cut off from the Cherokees and Chickasaws their only valuable Hunting Grounds, it being a Fact well known that they always hunt at the distance of one or two hundred Miles from their Villages, for an Obvious reason, the scarcity of Deer near the Dwellings of a Nation

of Hunters.

Third. Besides the Distress which the Cherokees and Chickasaws would certainly be subjected to by the loss of their Hunting Grounds; the Settlement of these Lands, by Adventurers from your Colony, who are likewise Hunters, and in other respects disagreeable to the Indians, would prove an insurmountable Obstacle.

These Difficultys, my Lord, would Operate immediately with the Cherokees and Chickasaws; but the Jealousies and Apprehensions of every Tribe on the Continent especially of those within this District, would be again revived by such an Extention of Territory; altho' they are almost effaced by His Majesty's having most graciously directed to settle and mark distinct Boundaries; and in whatever manner the Cession pointed at in the Memorial might be obtained from the Cherokees there is the greatest reason to apprehend that it would be productive of a general Rupture with, and Coalition of all the Tribes on the Continent; for however Indians may quarrel amongst themselves, yet an Encroachment on the Lands of any Nation becomes a common Cause, and attracts the Attention of the whole.

The Creek Nation, consisting of four thousand Gun Men, have lately complained to me of Settlement being made by Emigrants from Virginia, on the unceded Lands on the Mississippi, the Chickasaws and Chactaws³³⁷ are more immediately affected by such Settlements, and also express their uneasiness. At this very time, there are in the Creek Nation, Deputies from the Shawnese, Delawares, and other Northern Tribes, accompanied

by some Cherokees, endeav[oring] to form a general Confederacy on the principle of defending their Lands from our daily Encroachments. The principal Chiefs of the Cherokee Nation sent me the enclosed Message in July last, and immediately afterwards Ouconnastotah³³⁸ the principal Leader set out with 30 Canoes of Armed Men to reconnoiter the Settlements on Holsten's River, and see how far your Inhabitants had extended beyond the Line Agreed upon by Treaty in November 1768. These Circumstances appear to be worthy of your Excellency's Attention, and I hope will serve to evince the propriety of my declining to recommend the proposed Extension; and here permit me my Lord, to express my great sorrow for being obliged to refuse my assistance of whatever weight it may be, in obtaining for the Colony of Virginia a Boundary to the Extent of their Wishes; my sentiments on the Proposal I shall candidly submit to his Majesty's Ministers, and be extremely happy in carrying whatever Orders they may think proper to give me relative to it, into Execution.

I hope your Lordship will think it for the good of His Majesty's Service to restrain Adventurers from your Colony from Settling beyond the Line already agreed upon, untill His Majesty's Ultimate Orders can be received.

From the Supposition in the Memorial that the Line therein proposed would fall upon the Ohio, I must conclude the Plan referred to, to be Erroneous for the Division Line between Virginia and North Carolina appears by the Map to be in $36^{\circ}30'$

the Cherokee Towns are situated between 35° and $35^{\circ}40'$.

I inclose your Lordship my Bill on his Excellency General Gage³³⁹ for the amount of the Bill of Expences, contracted by direction of Mr. Cameron, and I have the honour to be with the greatest Respect

My Lord

Your Excellency's most Obedient
and most humble Servant

John Stuart

PS. I have chosen rather to send my Bill upon my Agent at New York for the Amount of the Bill of Expences above mentioned being £33 York Currency which will certainly be paid duly. The Abstract of the Additional Instruction and proclamation³⁴⁰ I send merely to save your Lordship the trouble of looking for the Original.

Enclosure 2: Lord Botetourt to John Stuart, 8 February 1770³⁴¹

Williamsburg, 8 February 1770

I Shoud agree with You entirely in all your Objections to the Line which is desired by the House of Burgesses of this Dominion if it was proposed by that Line to take a single Acre of Land without the consent of those who are allowed to be entitled to part with it. But as the reverse is true I shall still flatter myself that His Majestys Servants will at last be convinced of the utility and reasonableness of our Humble Prayer and that You will be directed to contribute

your Assistance towards our obtaining the Object of our Wishes.

In the mean time You may depend upon Adventurers from this Colony being restrained by all means in our power from settling beyond the Line already agreed upon, untill His Majestys ultimate orders shall have been received.

I have sent to Dr. Walker your Draught upon Messrs. Reade and Yates³⁴² for £33, and have desired that all Claimants may be immediately paid off.

Enclosure 3: Talk of the Cherokee with John Stuart, 29 July 1769³⁴³

Abstract of a Talk from the Headmen and Great Ruling Chiefs of the Cherokee Nation to John Stuart Esqr. Superintendant for the Southern District dated at Toquah 29th July 1769.

Father

The White people pay no regard to all our Talks that we have had. They are in Bodies in the middle of our Hunting Grounds. Some of our people went as far as Long Island on Holsteins River, but they were obliged to return home, for the whole Land is full of White Hunters and the Guns rattling every Way, and horse Paths on the River both up and down. We are sure they have Settled the Land a great Way on this side the Line.

Father

We depend on You to send directly to the Governor of Virginia, that he may write to his Warriors in the outsettlements to order his People to remove within the Line,

and that his Men shall not hunt in any of our Lands. You have often told us for to Talk to our Young fellows, that they should not Steal any Thing belonging to the White People, but the Virginia people will not listen to any Body, but do as they please for they steal our Deer and Land, which if not soon alter'd will be of bad Consequence for our Young fellows are very angry to see their Hunting Grounds taken from them.

/Signed/

Ouccounastotah	344	. . .	X mark
Attakullakulla	344	. . .	X Ditto
Otacite	345	. . .	X Ditto
Willanawau	346	. . .	X Ditto
Skolleloske	347	. . .	X Ditto

John Watts³⁴⁸ Interpreter

Enclosure 4: Extract of a Letter from Colonel Stephen to Lord Botetourt, 9 February 1770³⁴⁹

My Lord

Winchester, 9 February 1770

In Obedience to your Lordships Commands I have made all the enquiry into the Circumstances of Indian Stephen's³⁵⁰ death, that could be Obtained without being on the Spot.

One Gamble appears to have been principally concerned, in their way to commit the murder they asked a young Man Benjamin Harrison³⁵¹ to go along with them, telling him what their intentions were, he refused to join them and unless his Evidence can be of weight against them, no testimony can Affect them.

The Steps taken by your Excellency and Government has intirely satisfied the Indians.

The News of the Murderers being apprehended, put in Irons and sent down to Williamsburg to be punished gave them great pleasure.

They declared their great Satisfaction in your Lordship's pains taken to do them Justice, Asked what sort of Men the Black Boys³⁵² were that Interrupted the Trade, and destroyed the Ammunition intended for them.

Upon their being told that they were disorderly People who would be punished as soon as they were apprehended, They offer'd your Lordship as many men as You should have Occasion for to apprehend and reduce them to Order.

I hope the Outrages are intirely suppressed, and there will be no more Occasion to trouble your Lordship with these fellows. In the mean time, I beg leave to observe to your Lordship, that the sending Ingham to Williamsburg Jail has had a very good Effect upon the Indians, and that it has probably prevented a great deal of trouble to Your Lordship and to me. Had he been recommitted to Winchester Jail, the Passions of the People, and their Obstinacy were so great at that time that I should have been Obliged to Kill a parcell of them to prevent another Rescue.

When your Lordships Proclamation was carried to Pittsburgh, An Indian of good Education, who was in London about two or three years ago, happened to be at that place, and was very Active in Explaining the Proclamation to the Indians and

Quieting their Men. I have the honour to be with the most profound Respect

My Lord
Your Lordship's
most Obedient humble Servant

Adam Stephen

Enclosure 5: Robert C. Nicholas to Lord Botetourt, 30

December 1769³⁵³

My Lord.

Williamsburg, 30 December 1769

In Obedience to your Excellency's Commands, I very cheerfully commit to Writing the principal Reasons which govern'd the Assembly, at their last Meeting, in passing the two Acts, which were the Subject of the Conversation, your Lordship was pleased to honour me with this Morning.

The first is entitled "An Act to continue & amend An Act for reducing the several Acts made for laying a Duty upon Liquors into one Act."³⁵⁴

By the former Law pass'd in the 32d Year of the Reign of His late Majesty, Chap. 1st, which is continued & amended by this, a Duty of four Pence per Gallon on all Rum, Brandy & other distil'd Spirits, & a Penny per Gallon on all Cider, Beer & Ale imported into this Colony, except immediately from Great Britain, was imposed for defraying the public Expences of the Country & the better Support of the College of William and Mary, to be either paid down on Importation, or secured to be paid at the End of six Months.³⁵⁵

As an Encouragement to import Money into the Colony, if the Merchant importing Liquors, paid those Duties in "Gold or Silver Coin of his own Importation", & made Oath that he did import such Coin in the Terms prescribed by the first Act, he was thereby entitled to an Allowance of 15 Per Cent Discount out of such Duties. It appears exceedingly plain to me, my Lord, from the Words of the first Act, that the Importers of Liquors had no Right to avail themselves of this Discount, unless they paid their Duties with imported Money; however, as an Ease to Trade, it seems that the Letter of the Law had been dispensed with for many Years, before I came into Office, & upon the Importer of Liquors his producing a Certificate of his having imported Money, he has, by long Custom, been allow'd the Discount, so far, as his Money would go, tho' it had been imported many Years before & apply'd to other Purposes. This was not complain'd of, because, the Money being thrown into Circulation, the Country might have been presumed to reap the Advantage of this Addition to it's Medium of Commerce.

The public Treasury, of late Years, having been a good deal distress'd for Want of a regular Receipt of these Duties, the last Assembly, to obviate all Doubts & enforce more punctual Payments, thought it adviseable to declare by a Clause amendatory of the former Law, that, unless the Duties were regularly paid at the End of six Months from the Time of Importation, the Importers should not be allow'd the Discount of 15 Per Cent. This Alteration, or rather Explanation of the old Law, I understand is complain'd of by some of the Traders;

with how much Reason is humbly submitted to your Lordship's better Judgment.

The other Act, pass'd in the late Session is entitled "An Act for the better Support of the contingent Charges of Government".³⁵⁶

The low State of the Treasury, occasion'd by the Deficiency of the Funds establish'd for discharging the growing annual Expences of the Country, & the exceeding great Scarcity of circulating Specie amongst us, induced the Assembly, by this Act, to empower the Treasurer to emit ten thousand Pounds in Paper Bills of Credit, as well to enable him to comply with his Majesty's late Requisition, as to pay off the immediate & pressing Demands of the public Credit and These Treasury Notes are not, as the old ones were, declared a legal Tender, but are establish'd upon such Funds, as, it is hoped, will effectually secure their Redemption at the Time appointed, & therefore, there seems to be no Doubt of their passing currently in all Payments. The additional Duty of 5 Per Cent on all Slaves imported into the Colony, which makes a Part of this Fund, is not a new Duty, but has subsisted ever since the Year 1754,³⁵⁷ tho' it would cease on the 14th Day of next February, if it was not continued by this Act; and it is call'd an additional Duty, because it is over & above the other Duty on Slaves, which your Lordship will find is continued, as has been customary by another Act of the last Session, entitled "An Act for continuing certain Acts of Assembly imposing Duties upon Slaves".³⁵⁸

Having thus, my Lord, communicated to your Excellency what appeared to me the most likely to answer your Wishes upon the Occasion, I shall think myself exceedingly happy if I have been fortunate enough, in any Sort, to [satisfy] your Lordship's Expectations.

I have the Honor to be, my Lord,
Your Excellency's
very dutiful & most obedient Servant,

Ro. C. Nicholas

Enclosure 6: Robert C. Nicholas to Lord Botetourt, Undated³⁵⁹

My Lord.

Saturday Night, 10 o'Clock

With this, your Excellency will receive the Letter I promised, to be used, as your Lordship may think fit.

I went this Afternoon to the Clerk of the House of Burgesse's Office to enquire after the Bill, which your Lordship understood had been brought into the House, declaring Negroes to be personal Estate;³⁶⁰ but Mr. Wythe, upon examining the Journals, inform'd me, that Leave only had been given to bring in such a Bill, & that the Bill itself had never made it's Appearance. I remember, my Lord, that an Act of this Sort pass'd the Assembly so long ago as the Year 1748; great Inconveniencies were thought to have arisen & many Law Suits did certainly happen in the Country from the different Quality of Estates in Slaves; to some Purposes they were consider'd as real, & to others, as personal Estate, or mere

Chattels; this Law was intended to fix the Quality of Estate in them, as they are by nature personal; the Act, however, was repeal'd by his Majesty's Proclamation, & it was generally supposed to have been done, at the Instance of the late Colonel Thos. Lee,³⁶¹ who I remember to have heard opposed the Passage of the Bill most violently in Council; but what particular Reason prevailed with the Board of Trade to recommend a Repeal of the Act to his late Majesty, I never heard, & question whether they were ever known in Virginia.

Besides the Acts imposing Duties on Slaves mention'd in my other Letter, your Lordship will observe another Act pass'd last Session for laying an additional Duty of ten Per Cent upon them;³⁶² I did not there take Notice of this Act, because it seem'd foreign to the Purpose of that Letter, & I take the Liberty of mentioning it now, that I may not lead your Lordship into an Error. This is the Act, which occasion'd that Part of our Conversation this Morning on the good or bad Policy of importing Slaves at all. I mention'd to your Lordship the Reasons assign'd by Mr. Montagu³⁶³ for the Repeal of a former Act of this Sort; such Parts of the former Law, as he said were exceptionable, are omitted in this, & the Act has a suspending Clause, 'till his Majesty's Pleasure can be known. I never heard that there was the least Objection made, in England to the other Acts imposing Duties on Slaves; if they should be now objected to, I fear we shall be thrown into the greatest Confusion. I have the Honor to be with the highest

Respect,

Your Lordship's
dutiful & most obedient Servant
Ro. C. Nicholas

TO THE EARL OF HILLSBOROUGH, 20 MARCH 1770³⁶⁴

No. 30 Williamsburg, 20 March 1770

I have received No. 28,³⁶⁵ with the Attorney's Warrant,³⁶⁶ am thankful for the remission of the fines imposed upon Mary Dalton and Sarah Gibbs and feel Gratitude for His Majesty's most Gracious Condescension in acknowledging himself pleased with the Sentiments of his Devoted Servant.

Have inclosed Copies of letters to Governor Penn³⁶⁷ and Mr. Willing³⁶⁸ of Philadelphia which are to be delivered to them by Lieutenant Inglis³⁶⁹ of the Sultana Schooner together with the Bodies of John Ingman and four unhappy Mad People, Captain Sir Thomas Adams³⁷⁰ having allowed me to dispatch the Sultana upon that Service.

The Bounds of Pensylvenia towards this Dominion never having been ascertained by Commissioners from His Majesty, I am desired by the Council to express their wishes that directions may be given to both Governments to work out a Boundary Line which may for the future determine the Rights of both Colonies.

It is my opinion that His Majestys Warrant for an Addition of two Hundred per Annum to Mr. Attorney General will be forever remembered by him with that gratitude which

becomes him.

Enclosure 1: Resolution of the House of Burgesses, 30 November 1769³⁷¹

Thursday the 30th November 10th George III 1769

By the House of Burgesses

Resolved, That an humble Address be presented to his Excellency the Governor, returning him the Thanks of this House for his kind and humane Attention to the piteous Situation of the four unhappy People, who are disorder'd in their Senses, and now confined in the public Goal of this Colony; desiring that his Lordship will be pleased, as he has proposed to send them to the Hospital in Philadelphia, 'till a proper Provision can be made here for Persons under the like unhappy Circumstances, and assuring his Lordship that this House will chearfully pay the Expences that may attend their support and Maintenance.

G. Wythe Cl. H. B.

Enclosure 2: Lord Botetourt to Governor Penn, 20 March 1770³⁷²

Williamsburg, 20 March 1770

I have the honour to inclose two Depositions together with an answer to a letter wrote by Mr. Attorney General at my desire, and have sent to Your Excellency by Lieutenant Inglis the body of John Ingman, he having confessed himself

concerned in the Murder of Indian Stephen, which from the best Information I can obtain, was committed upon a spot of ground claimed by your Government.

You will find by the Papers I have inclosed that there never was an Act of Villainy more unprovoked or more deliberately undertaken, it is therefore extremely my wish that the Laws may enable You to do justice and appease by rigid punishment a Nation of offended Indians.

Mr. William Crawford³⁷³ who is Master to John Ingman has promised to attend You the beginning of April and has engaged to do his utmost to procure any Evidence which You may think material to be examined.

Enclosure 3: Lord Botetourt to Mr. Willing, 20 March 1770³⁷⁴

Williamsburg, 20 March 1770

I have engaged Lieutenant Inglis to deliver to your direction the four unhappy People You have obligingly promised to provide for in the Hospital at Philadelphia. I have likewise the honour to assure You that your Draughts for their Support will be duly answered by Mr. Treasurer Nicholas in consequence of my Warrant which he shall receive the first instant You shall enable me to grant it.

TO THE EARL OF HILLSBOROUGH, 14 APRIL 1770³⁷⁵

No. 31

Williamsburg, 14 April 1770

Your Lordship must pardon me for saying that I do not understand Nos. 22 and 26,³⁷⁶ if they do not authorize me to declare in the fullest manner, the Principles and Intentions of the then Administration; I cannot therefore help being astonished at the Reprehension I have received in No. 29³⁷⁷ as in every thing I have said in my Speech to the Assembly relative to those Ministers, I have strictly confined myself to their own words.

Upon my Knees I ask pardon of the King, if I have been improper in declaring to his People my Sentiments of His Majesty's Aversion to the arts of Deceit.

TO THE EARL OF HILLSBOROUGH, 12 MAY 1770³⁷⁸

No. 32

Williamsburg, 12 May 1770

I am much obliged by His Majesty's Gracious appointment of Mr. Commissary Horrocks to be one of His Council of State and am truly thankfull to Your Lordship for the dispatch You have given to his Warrant. Have inclosed an Account of the Revenue of 2s. per Hogshead upon Tobacco &c, from the 25th of October 1769 to the 25th of April 1770, and will report to the General Assembly by way of Message Your answers to their several Addresses.

I rejoice in Lord North's Destination.³⁷⁹

Enclosure 1: The Account of the Revenue from Tobacco, 25
October to 25 April 1770³⁸⁰

The Account of his Majesty's Revenue of 2s. Per Hogshead &c. Arising within this Colony of Virginia from the 25th of October 1769 to the 25th of April 1770.

The Receiver General doth Charge himself with the Receipt of the said Revenue as follows.

To Balance of the last Account	£	486.	4.	--
The Account of the Upper District of James River		1187.	9.	10
The Account of the Lower District of James River		281.	15.	1
The Account of the District of York River		250.	18.	4
The Account of the District of Rappahannock River		362.	4.	8
The Account of the District of South Fotomack		216.	7.	6
The Account of the Fort of Accomack		10.	9.	--
The Account of sundry Rights of Land Sold		335.	18.	1
The Account of Fines and Forfeitures				
So that the whole Receipt amounts to	£	3131.	6.	6
And there will remain due to the Receiver General to Balance this Account		352.	18.	7
	£	3484.	5.	1

The Receiver General doth Discharge himself
By the Payment of the following Sums.

By a Warrant for half a Years Salary to the Governor	£1000.	--	--
By a Warrant for Ditto to the Gentlemen of the Council	600.	--	--
By a Warrant to the Judges & other Officers of a Court of Oyer & Terminer	100.	--	--
By a Warrant to the Honourable & Reverend Robert Cholmondoley Auditor of the Plantations for half a Years Salary	50.	--	--
By a Warrant to James Abercrombie Esqr. Solicitor of the Virginia Affairs for Ditto	100.	--	--
By a Warrant to John Randolph Esqr. his Majesty's Attorney General for Ditto & additional Salary from 25th April 1769	235.	--	--
By a Warrant to Nathaniel Walthoe Esqr. Clerk of the Council for Ditto	75.	--	--
By a Warrant to the Adjutants for half a Years Salary	160.	--	--
By a Warrant to James Anderson Armourer for Ditto	6.	--	--
By a Warrant to the Gunners of the Batteries for Ditto	12.	10.	--
By a Warrant to the Ministers for their Attendance one General Court and Assembly	20.	--	--
By a Warrant for Repairs done to the Governors House	312.	17.	9
By a Warrant for Contingent Charges	539.	16.	7
By Allowance of 1/2 Per Cent on £1716.5.8 for Negotiating the same in Bills of Exchange in London	8.	10.	7
By Allowance to the Auditor at 5 Per Cent on £2645.2.6	132.	5.	1
By Allowance to the Receiver General on the same Sum	132.	5.	1
Rd. Corbin D R G	£3484.	5.	1

I have Examined the within Account of his Majesty's Revenue
Commencing the 25th of October 1769 and ending the 25th of
April 1770 and have Compared every Article with its proper
Voucher produced by Richard Corbin Esqr. Receiver General
and find the same truly Stated and that there is due to the
said Receiver General for Balance thereof three hundred fifty
two pounds Eighteen Shillings & seven pence Sterling.

John Blair D. Audr.

May 4th, 1770

The within Account Compared and Examined by John Blair Esqr.

Deputy Auditor was produced to me in Council and Sworn to by Richard Corbin Esqr. Receiver General.

Botetourt

TO THE EARL OF HILLSBOROUGH, 31 MAY 1770³⁸¹

No. 33

Williamsburg, 31 May 1770

Inclosed is an Address which was presented Yesterday. The Papers I have mentioned in my answer, consisted of a Copy of Mr. Stuart's reasons which have been sent to Your Lordship against the Boundary Line which we have desired, with a Talk which was lately held by him with the Indians upon that Subject, and a letter to me. The House of Burgesses immediately proceeded to take the whole under consideration; but I have not heard that they have as yet come to any fresh resolution in consequence of their Contents.

Enclosure 1: Address of the House of Burgesses, Accepted 25 May 1770 and Delivered 30 May 1770, and Lord Botetourt's Answer, 30 May 1770³⁸²

To his Excellency the Right Honourable Norborne Baron de Botetourt, his Majesty's Lieutenant Governor General and Commander in Chief of the Colony and Dominion of Virginia and Vice Admiral of the same.

The humble Address of the House of Burgesses

My Lord.

We his Majesty's most dutiful and loyal Subjects, the Burgesses of Virginia, beg Leave to present to your Excellency our sincere Thanks for the early Attention you have been pleased to give our former Addresses and Memorial, respecting the Extension of our Boundary to the Westward, the Importation of Salt from foreign European Ports, and the future Currency of Copper Coin within this Colony.

His Majesty's great Goodness, in so immediately refering the humble Petitions of his dutiful Subjects to his Board of Trade and Plantations, cannot but afford us the highest Satisfaction, and we acknowledge with Pleasure the great Candour of his Majesty's principal Secretary of State for this Department, in having the Consideration of the several Matters mentioned in Your Lordships Message postponed, till the Agent for this Colony should receive proper Instructions from us; but, my Lord, having already thro' your Excellency, to us the most agreeable Channel of conveying to the Throne our humble Requests, submitted to his Majesty's Wisdom our Reasons for desiring a more extended Boundary, we have nothing farther to add on that Head, except that, if the Truth of any of the Facts contained in our humble Memorial should be doubted, we are persuaded it may be established by unquestionable Proofs.

The Foundation of our Wishes, respecting the free Importation of Salt, we trust is also fully explained and understood, and, as to the Copper Money, which we desire to have circulating amongst us, our humble Request is, that it

may be current here as in Great Britain, allowing for the Difference between Sterling Money and the Currency of this Colony at the Rate of twenty five per Cent.

It only therefore remains for us to entreat your Lordship, in whom we have abundant Reason to repose the greatest Confidence, to use your farther good Offices³⁸³ in endeavouring to procure Success to the earnest Desires of this House in these several important Articles:

Lord Botetourts Answer

Mr. Speaker and Gentlemen of the House of Burgesses,

I will report to the King the full Contents of your very Obliging Address and will again implore His Majesty, as immediately as possible, to indulge His House of Burgesses in all their reasonable desires. To do less, would be to neglect my Duty. Having last night received certain Material Papers from Mr. Stuart Superintendant of the Southern Distict I must beg leave to submit them to your immediate consideration.

TO THE EARL OF HILLSBOROUGH, 23 JUNE 1770³⁸⁴

No. 34

Williamsburg, 23 June 1770

I have the honour to inclose a Copy of a letter to Mr. Stuart which I hope Your Lordship will approve as I expect from it the best of consequences.

His Majestys Gracious Approbation of the humble Services of the several Branches of his Legislature in this Province,

is most flattering. May we long continue to deserve it. I cannot sufficiently express my thankfulness for the answer You have given to Major General Mackay.³⁸⁵ Mr. Ralph Wormeley's³⁸⁶ place of Residence being on the other side of York River, and at 34 Miles Distance from the Seat of Government, is at this instant an insuperable objection to his being of the Council; Many Acts of Government requiring the attendance of five of the Council, and three only being at present inhabitants of this City; I must therefore intreat that You do indulge me with a few more in this Neighbourhood, and for that purpose that You immediately send me a Warrant without Date for Mr. Dudley Digges who married Mr. Wormeley's Sister,³⁸⁷ he having for many Years distinguished himself as an excellent Magistrate, and being always to be brought hither in less than four hours. No Use shall be made of the Warrant untill a Vacancy shall happen.

I am much obliged by Sir Ferdinando Poole's letter³⁸⁸ to Mr. Pownal and the Attorney General's Report³⁸⁹ and will send Captain Furguson to England as soon as we can secure the Witnesses who have deposed against him.

I have inclosed an Address from the House of Burgesses which was presented Yesterday.

Enclosure 1: Lord Botetourt to John Stuart, 21 June 1770³⁹⁰

Williamsburg, 21 June 1770

Being authorized by the inclosed Address of the House of Burgesses, His Majestys Gracious permission and your letter of the third of August 1769³⁹¹ I earnestly intreat that You do immediately enter upon a Treaty with the Cherokees in order to obtain as soon as possible for this Dominion a Cession of those Lands to which His Majesty has been pleased to consent upon Conditions which have been agreed to by the Legislature of this Country. I must likewise beg that You send me an account of the several goods and sums of money which will be wanted for compleating this great work, specifying as near as may be the expence of each particular Service with the time and manner in which You woud wish to have them paid; as also what assistance You will want from hence in running the Line when it shall have been agreed to, with the exact time when it will be wanted. You may depend upon the greatest punctuality in the course of this transaction. The whole expence must come within the £2500 Sterling which have been granted by this Government in consequence of your own Estimate. The higher the Savings the more we shall be obliged to You.

I congratulate You upon your being appointed a Counsellor extraordinary of the Dominion and Colony of Virginia,³⁹² will send by 1st opportunity a Copy of this Letter to the Earl of Hillsborough.

Sent by Express

Enclosure 2: Resolution of the House of Burgesses, 15 June 1770³⁹³

By the House of Burgesses

Resolved, that an humble Address be presented to his Excellency the Governor, to desire that he will immediately take such steps as are necessary for entering upon a treaty with the Cherokees for the Lands lying within a Line to be run from the place where the North Carolina Line terminates, in a due western direction, till it intersects Holstein River, and from thence to the Mouth of the Great Kanhawa; and that he will be pleased, when a cession of those Lands shall be obtained, to proceed to mark and establish that boundary.

G. Wythe C. H. B.

Enclosure 3: Resolution of the House of Burgesses, 21 June 1770³⁹⁴

Resolved that an Address be presented to the Governor praying his Excellency to use his earnest Entreaties with the Governor of Maryland to recommend it to his Assembly to join this Colony in erecting and supporting a Light House on Cape Henry,³⁹⁵ a Measure we are convinced will conduce much to securing the extensive Trade carried on by both Colonies up the Bay of Chesapeake.

By the house of Burgesses

21st of June 1770

G. Wythe

TO THE BOARD OF TRADE AND PLANTATIONS, 24 JUNE 1770 ³⁹⁶

Williamsburg, 24 June 1770

I will do my utmost to procure for Your Lordships the satisfaction You desire,³⁹⁷ but I much fear from the report which has been made to me from the Secretary's Office, that it will not be in my power to get an account of all the Patents You have asked for; the best information I can obtain shall be sent as soon as it can be procured. In the mean time must intreat that You acquaint me by the very first opportunity, with the Lands which may immediately be granted in consequence of the Treaty at Fort Stanwix, as I am frequently pressed hard upon that subject and earnestly solicited for Patents which by the King's Proclamation in 1763 I am restrained from granting.

TO THE EARL OF HILLSBOROUGH, 30 JUNE 1770 ³⁹⁸

No. 35

Williamsburg, 30 June 1770

Upon Thursday the 28th Instant I prorogued the Assembly of this Dominion to Thursday the 25th of October next, after having passed 46 Bills and rejected one,³⁹⁹ on account of money's being to be issued by that Act without my Warrant, am convinced that the Omission happen'd originally from mistake, but for fear of the Precedent I refused passing the Bill and told my reasons.

The House of Burgesses a few days before they were

prorogued, directed that their Agent should lay before His Majesty an Humble Petition in which they pray for a total repeal of the Act which granted certain Duties for the purpose of raising a Revenue⁴⁰⁰ and beg to be relieved from hardships to which they apprehend themselves improperly liable from the arbitrary decision of distant Courts of Admiralty; Many of them have likewise signed the inclosed Association.⁴⁰¹ If I am rightly informed we are chiefly indebted for both those Measures to the Patriots⁴⁰² of England; The Merchants and Factors resident here having been pressed by letters from home to promote distress to their Mother Country by all possible means. I will send to Your Lordship by the very first opportunity the Journals and Acts of Assembly which have passed since the 21st of May.

Enclosure 1: Lord Botetourt's Speech Proroguing the House of Burgesses, 28 June 1770⁴⁰³

Gentlemen of the Council, Mr. Speaker, and Gentlemen of the House of Burgesses,

It is with the utmost Gratitude I acknowledge the many Marks of Confidence with which I have been honoured by this Assembly. To what Extent I may be able to serve you, time only can prove; Upon my Zeal you may depend, and that it will know no bounds but what my Duty shall impose.

As I understand that you have gone through the Business

of the Session, and wish to return to your several Counties, I do prorogue you to Thursday the 25th of October, and you are accordingly Prorogued to Thursday the 25th of October next.

TO THE EARL OF HILLSBOROUGH, 31 JULY 1770⁴⁰⁴

No. 36

Williamsburg, 31 July 1770

I have sent in this Box by Captain Walker⁴⁰⁵ 48 Acts, three Resolves, and a Schedule of Claims, with the Journals of both Houses and Minutes of the Council,⁴⁰⁶ and as I verily believe that the Acts contain no objectionable matter shall be thankful for as immediate an allowance as can be conveniently granted.

His Majesty having been graciously pleased to intrust to his Colonies, the entire Management of Trade with the Indians,⁴⁰⁷ Commissioners at the particular desire of the Province of Pennsylvania,⁴⁰⁸ were appointed by the Assembly of this Dominion, to meet Commissioners from the Northern Colonies at New York upon the 10th of July, to form and agree upon a general plan for the regulation of the Indian Trade, and accordingly attended upon that very day, but the same punctuality not having been observed by those who at first appeared most earnest for that meeting, our Commissioners are returned without having entered upon any business.

TO THE BOARD OF TRADE AND PLANTATIONS, 31 JULY 1770⁴⁰⁹

Williamsburg, 31 July 1770

I have sent to Your Lordships in this Box by Captain Walker, as compleat a Collection of orders of Council, and Petitions for Land,⁴¹⁰ as I have as yet been able to procure.

TO THE EARL OF HILLSBOROUGH, 10 AUGUST 1770⁴¹¹

No. 37

Williamsburg, 10 August 1770

Mr. Stuart having in the inclosed answer to my express, acquainted me, that near £400 Sterling, more than his Original Estimate, woud be wanting, in order to enable him to compleat the purchase of those lands from the Indians, to which The King has been graciously pleased to consent; I have presumed to draw upon His Majestys Quit rents for that sum, as I could not otherwise have made good to the several Branches of this Legislature the promise I thought myself authorized to make. Shoud Your Lordship be of a different opinion, I will immediately answer your Draught for 400, out of my private fortune, as I woud rather forfeit the whole, than be guilty of even the appearance of Deceit.

Enclosure 1: John Stuart to Lord Botetourt, 12 July 1770⁴¹²

My Lord

Charles Town, 12 July 1770

On the 10th Current in the Evening, I was honored with

your Excellency's Letter of 21st ultimate, desiring me immediately to enter upon a Treaty with the Cherokees in order to obtain as soon as possible for the Dominion of Virginia a Cession of those Lands pointed out in His Majesty's Instructions to me.

On the 11th in the morning I sent off an Express to Mr. Cameron my Deputy with the necessary Directions of convening the Cherokee Chiefs on the 5th of October at Lochaber⁴¹³ 250 Miles from Charles Town, and about 45 Miles from Keowee⁴¹⁴ in the lower Cherokee Settlement.

It will be impossible to prevail with the Indians, after the above mentioned time, to come to any meeting, as it will interfere with their hunting, which they chiefly depend upon.

I send inclosed a list of Goods which I think absolutely necessary, with the Charles Town Prices, to which is added an Account of the other unvoidable expences which will attend the Negotiation; the whole amounting to £20,194.2.6 this Currency which at the common calculation of seven pounds for one Sterling is Equal to £2884.17.6 Sterling.

The non importing Resolutions of the Merchants and Inhabitants have render'd Indian Trading Goods scarce. I thought myself extremely fortunate in being able to secure the Goods contained in the Inclosed Estimate at the Prices therein mentioned which are about 42 Per Cent advance on the prime cost in England. I shall without loss of time hire Waggon's at the Cheapest rate and beg your Lordship will be assured that the whole shall be conducted with the strictest

Oeconomy, and that I will be as Cautious of incurring unnecessary Expences, as if I were laying out my own Money.

The inclosed Estimate exceeds what my Idea of the Expences was when I wrote your Lordship that £2500 would be sufficient; but the great delay on the part of Virginia has considerably alter'd Circumstances, the Cherokees are not in the same Temper they were at that time; They have since been solicited by the Southern and Northern Tribes to enter into Confederaces against our Encroachments. The uneasiness they express'd, at being kept in suspence with regard to your Boundary Line, occasioned my meeting them in the Spring, which cost a considerable Sum of Money.

I think it will be necessary that your Lordship empower me to draw upon London for the Expence of the Negotiation, except about three hundred pounds Sterling which if possible I beg to have sent me in Gold, as it is extr[emely] difficult to get Cash for Bills without allowing a Discount of 5 to 3 Per Cent which I presume would not be agreeable, of this I beg to be informed by your Lordship as soon as convenient, as I mean to be extremely punctual with the Indians.

Your Lordship will be pleased to observe that the Expence of marking the Line after obtaining a Cession of the Land; is not included in the Estimate, the advanced Season of the year will render it impossible to undertake that Service before April; My Deputy and Interpreter, ⁴¹⁵ with the Indians commissioned by their Nation for that purpose will then attend and meet your Lordships Surveyor and Commissi[oner] at any

appointed Place. The Expence of Provisions &c &c attending this particular Service will be defrayed by Virginia as has been done in all other Provinces, an Estimate of which will be better made in your Lordship's Province than by me.

If your Lordship will be pleased to send a Gentlemen of your Confidence to be present at and witness to the Transactions of the Congress it will probably give great satisfaction to your house of Burgesses as well as to me. I have the honor of being most respectfully

My Lord
Your Excellency's
most Obedient and most humble
Servant

John Stuart

Enclosure 2: Lord Botetourt to John Stuart, 9 August 1770⁴¹⁶

Williamsburg, 9 August 1770

I have inclosed to You an authority to draw upon Messrs. Norton and Son⁴¹⁷ in London for £2900 Sterling by which You will perceive that the 384.17.6 which You have desired, together with £15 in order to enable You to purchase Gold by Bills for 300 are both added to the Estimate of £2500 with which You originally engaged to procure for this Dominion from the Indians those lands to the purchase of which His Majesty has been graciously pleased to consent. I have likewise appointed Col. Donelson⁴¹⁸ a Member of the House of Burgesses to meet You at Lochaber upon friday the 5th of October that he may be able to report from view to our General Assembly the

whole of that transaction, may fix with You a proper time for running the Line and may be instructed in the knowledge of every thing which will be wanted for that material purpose.

I am extremely pleased with the assurance You have given me that the strictest oeconomy shall be observed and as it has ever been the first object of my life to be remarkable for Good Faith and punctuality, I shall depend upon You in the present instance for that credit with the Indians which my Actions shall deserve.

I will be answerable that Messrs. Norton and Son will pay due honour to Your Bills for 2900 Sterling.

TO THE EARL OF HILLSBOROUGH, 27 AUGUST 1770⁴¹⁹

No. 38

Williamsburg, 27 August 1770

Captain Lilly⁴²⁰ will deliver to Your order the body of Captain Fergusson who has been detained, and is now sent to England agreeable to Your Lordship's direction, having been charged with the Murder of three of his Mariners upon the High Seas, he will likewise inform You where the Evidence⁴²¹ against the supposed Murderer are to be found, they having been put on board Captain Walker many days since. Fifty pounds of this Currency have been paid to Captain Lilly for Fergusson's Passage.

I have received Your Lordship's Dispatch No. 32.⁴²²

[P.S.] I will strictly compare, the Grant which is desired

by Mr. Walpole and others, with the Rights of this Province,
and will acquaint your Lordship with the sense of His Majestys
Council upon every part of it.⁴²³

NOTES

On the Introduction

1. For this period of Botetourt's life I have relied upon Bryan D. G. Little, "Norborne Berkeley (1717-70): Gloucestershire Magnate," Virginia Magazine of History and Biography 63 (1955): 379-409.

2. Great Britain, Parliament, House of Lords, Journals of the House of Lords, vol. 30 (1760-1764) (n.p., n.d.), 442, 561, 572.

3. Great Britain, Public Record Office, Colonial Office papers, class C.O. 5, piece 1346, folios 75-76; hereafter cited, for example, as C.O. 5/1346, ff. 75-76.

4. C.O. 5/1375, f. 11vo.

5. Ibid., ff. 8vo-9ro.

6. John Fendleton Kennedy, ed., Journals of the House of Burgesses of Virginia 1766-1769 (Richmond, Va.: The Everett Waddey Co., 1906), 149; hereafter cited as JHB 1766-1769.

7. Ibid., 165-171.

8. Ibid., 171.

9. Ibid., 173.

10. C.O. 5/1346, ff. 88-89; see p. 37 of this thesis.

11. C.O. 5/1346, ff. 103-104, and p. 38 of this thesis.

12. Virginia Gazette (Rind), 27 October 1768.

13. Ibid., 3 November 1768.

14. See C.O. 5/1346, ff. 105-106, 107-108, 109-110, C.O. 5/1332, ff. 76-77, C.O. 5/1347, ff. 17-18, 24-25, 26-27, 111-113.

and pp. 39-41, 123-125, 41-45, 45-47, 58-60, 64-67, and 131-133 of this thesis.

15. Virginia Gazette (Rind), 16 February 1769.

16. C.O. 5/1346, ff. 103-104; see pp. 38-39 of this thesis.

17. See C.O. 5/1346, ff. 77-80, and Leonard W. Labaree, Royal Instructions to British Colonial Governors 1670-1776, 2 vols. (New York: D. Appleton-Century, 1935), 1: 364.

18. C.O. 5/1346, ff. 103-104; see p. 38 of this thesis.

19. C.O. 5/1347, ff. 21-22; and p. 62 of this thesis.

20. C.O. 5/1346, ff. 77-80; Labaree, Royal Instructions, 1: 364.

21. C.O. 5/1326, f. 277.

22. C.O. 5/1366, ff. 411-417.

23. Ibid., ff. 422-425.

24. William Waller Hening, ed., The Statutes at Large of Virginia, 13 vols. (Philadelphia, Pa.: Thomas Desilver, 1823), 6: 258, 355-356.

25. C.O. 5/1367, ff. 204-206.

26. C.O. 5/65, f. 67.

27. Ibid., f. 131.

28. See C.O. 5/66, ff. 781-785, 788, C.O. 5/67, ff. 205-213, and C.O. 5/70, ff. 134, 138-139. The letters of 17 December 1766 and March 1767 are untraced.

29. C.O. 5/69, f. 265, and C.O. 5/70, f. 281. Fauquier's reasons for refusing to commit himself to a firm course of action are unclear. Thomas P. Abernethy expresses the opinion

that Fauquier may have refused to cooperate because he believed a boundary line would inhibit Virginia speculators (Western Lands and the American Revolution [New York: Russell and Russell, 1959], 60-61). John R. Alden feels that Fauquier was trying to run a middle course between the Virginia speculators and the home government; he wished to be able to blame the line upon either London or Stuart if it became an issue among the Virginians (John Stuart and the Southern Colonial Frontier [Ann Arbor, Mich.: University of Michigan Press, 1944], 268, note 22). Alden's explanation is probably more accurate.

30. See C.O. 5/222, ff. 5-7 (Shelburne's circular letter of 13 September 1766); and C.O. 5/225, ff. 14-18 (Shelburne to Stuart, 11 December 1766).

31. C.O. 5/68; cited in Alden, John Stuart, 268.

32. C.O. 5/1345, ff. 176-177.

33. E. B. O'Callaghan, ed., Documents Relative to the Colonial History of the State of New-York, 15 vols. (Albany, N.Y.: Weed, Parsons & Co., [1853-1887]), 7: 718-738; hereafter cited as NYCD.

34. Ibid., 838.

35. Johnson to Lords of Trade, 20 August 1766 (ibid., 853); and Johnson to Shelburne, 16 December 1766 (ibid., 880-883) and October 1767 (ibid., 985-986).

36. Ibid., 1004-1005.

37. Ibid., 8: 2.

38. Alden, John Stuart, 270.

39. See C.O. 5/70, ff. 146-147, 150-152, and 154-156.

40. Benjamin J. Hillman, ed., Executive Journals of the Council of Colonial Virginia, vol. 6 (Richmond, Va.: Virginia State Library, 1966), 292-293, 297; hereafter cited EJC.

41. C.O. 5/69, ff. 60-86.

42. Ibid., f. 120.

43. Ibid., f. 448.

44. Alden, John Stuart, 272.

45. C.O. 5/1347, ff. 13-15; see pp. 52-56 of this thesis.

46. C.O. 5/1347, ff. 15-16; see pp. 56 and 57 of this thesis.

47. See Lewis and Walker's report to Botetourt of 14 December 1768 found in C.O. 5/1332, ff. 71-73, and on pp. 72-73 of this thesis.

48. See C.O. 5/1332, ff. 48-49, and pp. 67-69 of this thesis.

49. See C.O. 5/1332, ff. 66-70; NYCD, 8: 136; and p. 87 of this thesis. Possession of the area was tenuous, although it seems the southern Indians had a stronger claim to it because they used it as their hunting grounds. The strength of the northern Indians (and thereby their power to enforce their claim to the area) was at this time on the decline.

Why Johnson agreed to the cession from the Indians when he had been instructed not to do so remains a mystery. It has been suggested that he did so in order to placate both the "suffering traders" (a group of traders who lost goods to the Indians in 1763 and hoped to be compensated by a grant of land) and the Virginia expansionists (headed by Dr. Walker), each of whom greatly benefited by the new treaty. (See

Abernethy, Western Lands, 59.)

50. C.O. 5/1332, ff. 50-51; and pp. 70-71 of this thesis.

51. C.O. 5/1332, ff. 56-57; EJC, 6: 308-309; and p. 91 of this thesis.

52. C.O. 5/1332, ff. 52-53; and pp. 91-92 of this thesis.

53. C.O. 5/1332, ff. 54-55; and pp. 93-95 of this thesis.

54. C.O. 5/1332, ff. 100-101; and pp. 104-108 of this thesis.

55. C.O. 5/1332, ff. 102-105; and pp. 108-116 of this thesis.

56. C.O. 5/1347, ff. 56-57.

57. C.O. 5/70; cited in Alden, John Stuart, 275.

58. C.O. 5/1347, ff. 68-69.

59. Dumas Malone, Jefferson and His Time, vol. 1, Jefferson the Virginian (Boston: Little, Brown, 1948), 132; and "Williamsburg--The Old Colonial Capital," William and Mary Quarterly 1st ser., 16, no. 1 (July 1907): 29.

60. These resolves were passed on 16 May 1769 and may be found in C.O. 5/1347, ff. 79-80; and in JHB 1766-1769, 214-215.

61. C.O. 5/1346, ff. 77-80; Labaree, Royal Instructions, 364-365.

62. JHB 1766-1769, 218.

63. *Ibid.*, xxxix-xl.

64. *Ibid.*, xl-xliii.

65. EJC, 6: 326.

66. C.O. 5/1347, ff. 68-69, 116-118.

67. Ibid., ff. 116-118.

68. Found *ibid.*, ff. 188-189; JHB 1766-1769, 227; and on p. 157 of this thesis.

69. C.O. 5/1347, ff. 188-189; JHB 1766-1769, 227; and p. 158 of this thesis. These sentiments were to prove troublesome to Botetourt. He was reprimanded by Hillsborough in his letter of 18 January 1770 (C.O. 5/1348, ff. 23-24) for seeming to commit the king to a future course of action, especially since Hillsborough felt his letter had authorized Botetourt to declare only the intentions of His Majesty's present ministers. Parliament was just as upset; it seemed to some of the members that Botetourt had laid the blame on Parliament for passing the duties and gave the credit to the king for taking them off (Sir Henry Cavendish, Debates of the House of Commons . . ., ed. J. Wright, 2 vols. [London: Longman, Orme, Brown, Green, and Longmans, 1841-1842], 2: 24-36).

The colonists, meanwhile, were not letting the governor forget their opposition to the duties. When, in December 1769, the burgesses gave a party at the Capitol for Botetourt, nearly one hundred of the ladies attending wore homespun gowns (Virginia Gazette [Purdie and Dixon], 14 December 1769). When Parliament did act, it retained the tax on tea. The colonists answered this by forming another association on 22 June 1770 in Williamsburg. Andrew Sprowle was chairman. Once more the principal men of the colony signed an agreement

against importing English manufactures, slaves, and tea, until all taxation duties were repealed (William Pendleton Kennedy, ed., Journals of the House of Burgesses of Virginia 1770-1772 [Richmond, Va.: The Everett Waddey Co., 1906], xxvii-xxxi; hereafter cited as JHB 1770-1772). It is reported that Botetourt, finding himself disappointed by the administration in England, was considering requesting his recall when he died in October 1770 ("Williamsburg--The Old Colonial Capital," 32).

70. JHB 1766-1769, 334-336; C.O. 5/1348, f. 39; and pp. 171-175 of this thesis.

71. C.O. 5/1348, f. 44; JHB 1766-1769, 334; and pp. 183-185 of this thesis.

72. C.O. 5/1348, ff. 33-34, 45-46; and pp. 168 and 185-186 of this thesis.

73. C.O. 5/1348, ff. 45-46; and p. 186 of this thesis.

74. C.O. 5/1348, ff. 75-76; and pp. 202-206 of this thesis.

75. C.O. 5/1348, ff. 77-78; and pp. 206-207 of this thesis.

76. C.O. 5/1348, ff. 118-119; JHB 1770-1772, 74; and p. 225 of this thesis. Several reasons have been advanced for the assembly's sudden change of heart. It is probable that their discovery of the formation of the Grand Ohio Company in the year before precipitated their concurrence. This company was petitioning the king to be granted lands bounded on the north by the Ohio, on the west by a line drawn from the mouth of the Scioto River to Cumberland Gap, on the south by the Cumberland range and the Greenbrier River, and on the east by the western boundaries of Maryland and Pennsylvania. (See

Alden, John Stuart, 278.) The Virginians would no doubt have wished to have some sort of line legalized before this grant could be made. Besides this, the burgesses were probably also influenced by the strong reasons put forth by Stuart in his letters and the growing discontent of the Indians with the delay and with the advance of the colonists into Indian lands not yet ceded. There is also some chance that the colonists were informed of the contents of Hillsborough's letter to Botetourt of 14 April 1770 (C.O. 5/1348, ff. 87-88), indicating that Hillsborough still supported Stuart's proposed line (Alden, John Stuart, 278).

Botetourt's quick concurrence with the burgesses was probably due largely to the same circumstances that influenced the burgesses to concede. It has also been attributed by Alden, John Stuart, 278-279, to the influence of Sir William Draper, who had attended a conference with the Cherokee held at the Congarees by Stuart in April 1770. At this meeting the Cherokee stated their opposition to Virginia's proposed line and urged Draper to present their case to Botetourt, because he was acquainted with the governor and planned to visit Virginia. Draper arrived in May and Botetourt's very high opinion of him (in a letter to Hillsborough of 22 February 1770, Botetourt had remarked that "men like him [Draper] should never be neglected; in times like these they are invaluable" [C.O. 5/1348, ff. 73-74]) no doubt had a great effect on the governor's readiness to accept Stuart's line.

77. C.O. 5/1348, ff. 116-117; p. 224 of this thesis.
78. C.O. 5/1348, ff. 135-136; pp. 229-232 of this thesis.
79. C.O. 5/1348, ff. 133-134; p. 229 of this thesis.
80. EJC, 6: 361-363. The letter is reported by Alden, John Stuart, 279, to have been forged by Jacob Hite, an agent of Walker and Lewis.
81. EJC, 6: 363-364.
82. Ibid., 363.
83. Ibid., 364-366.
84. See JHB 1770-1772, xv-xvi, for a copy of this treaty.
85. Rind, 18 October 1770.
86. See Virginia Gazette (Furdie and Dixon), 18 October 1770 and 13 June 1771, and (Rind), 8 August 1771.
87. Landon Carter, The Diary of Colonel Landon Carter of Sabine Hall, 1752-1778, ed. Jack P. Greene, vol. 1 (Charlottesville, Va.: Virginia Historical Society, 1965), 512.
88. Ibid., 516.
89. Virginia Gazette (Dixon and Hunter), 5 August 1775.
90. Carter, Diary, 39.
91. C.O. 5/1346, ff. 88-89; and p. 37 of this thesis.
See also Little, "Norborne Berkeley," pp. 408-409.
92. A[nne] Blair to [Mrs. Mary Braxton], 21 August 1769, Blair, Banister, Braxton, Horner, Whiting papers, Earl Gregg Swem Library, The College of William and Mary in Virginia.
93. "Williamsburg--The Old Colonial Capital," 33.
94. C.O. 5/1332, ff. 98-99. The Lords of the Treasury remitted their fines in January 1770 (C.O. 5/1348, ff. 21-22).

95. Purdie and Dixon, 2 November 1769.

96. The medals were awarded for four years (1772-1775). See "The Botetourt Prize Medals," William and Mary Quarterly 1st ser., 3, no. 2 (October 1894): 144.

97. According to the Virginia Gazette (Purdie and Dixon) of 18 October 1770.

98. "Correspondence Relating to Lord Botetourt," Tyler's Quarterly Historical and Genealogical Magazine 3, no. 2 (October 1921): 112.

99. Virginia Gazette (Purdie and Dixon), 18 October 1770.

100. Mary Goodwin, "Supplementary Documents Giving Additional Information Concerning the Four Forms of the Oldest Building of William and Mary College," William and Mary Quarterly 2d ser., 10, no. 1 (January 1930): 79.

101. JHB 1770-1772, 138.

102. "Correspondence Relating to Botetourt," 108.

103. *Ibid.*, 108-109.

104. Virginia Gazette (Rind), 13 May 1773.

On the Letters

1. Great Britain, Public Record Office, Colonial Office papers, class C.O. 5, piece 1346, folios 88-89; hereafter cited, for example, as C.O. 5/1346, ff. 88-89. ALS. Wills Hill (1718-1793), 1st Marquis of Downshire in the peerage of Ireland and the Earl of Hillsborough in the peerage of Great Britain, was born at Fairford, Gloucestershire, on 30 May

1718. In 1741 he became a Member of Parliament and in 1743 took his seat in the Irish House of Peers. On 25 August 1746 he was sworn a member of the Irish privy council. He took his seat in the British House of Lords for the first time on 2 December 1756. On 10 September 1763 he was appointed president of the Board of Trade, but he resigned the position in July 1765. On 16 August 1766 he was reappointed. He again resigned in October 1766, becoming joint postmaster-general on 27 December. On 20 January 1768 he became secretary of state for the colonies, at the same time being appointed president of the Board of Trade. He resigned both positions in August 1772. In November 1779 he became secretary of state for the northern department, which office he resigned in March 1782. He died on 7 October 1793 at the age of seventy-five.

2. The Rippon was the sixty-gun man-of-war that carried Botetourt to Virginia. Samuel Thompson (who in 1769 married Elizabeth Blair, daughter of the president of the council, John Blair) was her captain.

3. C.O. 5/1346, ff. 90-91. ALS. Endorsed as received 2 December [1768].

4. Little England, Hampton, was in Elizabeth City County, Virginia, and was then the home of Colonel James Balfour, referred to in the first line of this letter as Colonel Bellford, who was justice of the peace of Elizabeth City County in 1762, 1766, and 1767.

5. C.O. 5/1346, ff. 103-105. ALS. Endorsed as received 26 December [1768].

6. Colonel Wilson Cary (1702-1772), of Richneck and Ceelys, the son of Colonel Miles and Mary Wilson Cary. Cary was collector and naval officer of the lower James River 1726-1760 and also a presiding magistrate and county lieutenant of Elizabeth City County. The other three men are unidentified.

7. The same Colonel James Balfour of note 4.

8. Probably either Capel or Osgood Hanbury, leading Virginia merchants of London in the 1760s. They were the sons of John Hanbury, also a prominent merchant of London, who had many transactions with Virginia, being a member of the Ohio Company for locating lands on the Ohio River. John apparently died in 1758. In 1766 the name of the firm was Capel and Osgood Hanbury. According to Botetourt's letter no. 19 to Hillsborough (C.O. 5/1348, ff. 7-8), Capel died by October 1769, and in 1774 the firm was known as Hanbury and Lloyd. At present the firm is known as Lloyd Bankers.

9. Thomas Nelson (1716-1782) and his brother William (1711-1772), both born in the region of Yorktown. Thomas was sworn in as secretary of Virginia on 16 April 1743 and was appointed by the king to the council 13 January 1749 and admitted to the council on 20 April of that year. William was appointed to the council by the king on 17 April 1745 and took his seat on 15 October. When Botetourt died in October 1770 William Nelson became ex officio acting governor until August of 1771, when the Earl of Dunmore assumed office. In 1775 Thomas was president of the council, no doubt having assumed the position when William died in 1772.

10. The council journals indicate that the following men were on the council at this time: John Blair, William Nelson, Thomas Nelson, Richard Corbin, William Byrd, Philip Ludwell Lee, John Tayloe, Robert Carter, Presley Thornton, Robert Burwell, George William Fairfax, and John Page. See Benjamin J. Hillman, ed., Executive Journals of the Council of Colonial Virginia, vol. 6 (Richmond, Va., Virginia State Library, 1966), 301, 328; hereafter cited as EJC. The council had executive, judicial, and legislative functions. It advised the governor, had an equal voice with the House of Burgesses in legislation, and was the highest court in the colony. There were normally twelve men on the council. They served at the king's pleasure, usually for life. They were technically chosen in England, but in practice the governor was in most cases allowed his preference.

11. The king had given Botetourt special instructions on how to deal with the political situation he would find in Virginia when he arrived. He was to immediately dissolve the assembly (which had offended the king by transmitting resolves deploring the Townshend Duties and the Mutiny Act) if it was still in existence, and then issue writs for a new assembly, which was to convene when he saw fit. See C.O. 5/1346, ff. 77-80, and Leonard W. Labaree, Royal Instructions to British Colonial Governors 1670-1776, 2 vols. (New York: D. Appleton-Century, 1935), 1: 364.

12. The general court functioned as the supreme judicial

unit of the colony. The judges were composed of the members of the council, with the governor as presiding officer. The court had unusually wide jurisdictional authority. Its primary appellate function was in hearing appeals from the county courts, a relatively easy and inexpensive process. It had original jurisdiction in civil cases involving more than £10 or 2,000 pounds of tobacco. In criminal cases the court held jurisdiction over all arraignments involving the loss of life or limb as punishment. It sat twice a year, on 10 April and 10 October and continued for a maximum of twenty-four days (or less, if the docket was cleared).

13. The act of 1705, chap. 23, is entitled: "An act declaring the Negro, Mulatto, and Indian slaves within this dominion, to be real estate" (William Waller Hening, ed., The Statutes at Large of Virginia, 13 vols. [Philadelphia, Pa.: Thomas Desilver, 1823], 3: 333-335). The act of 1727, chap. 11, is entitled: "An Act to explain and amend the Act, For declaring the Negro, Mulatto, and Indian Slaves, within this Dominion, to be Real Estate; and part of one other Act intituled, An Act for the distribution of Intestates Estates, declaring Widows Rights to their Deceased Husbands Estates; and for securing Orphans Estates" (ibid., 4: 222-228).

The question (decided in the negative) was whether Negroes not annexed to land could be made inheritable by only a specified line of heirs. This was the case of Blackwell v. Wilkinson, involving Negroes not annexed to land and entailed between 1705 and 1727. The 1705 statute had not specifically

allowed the entail of land and slaves together; the 1727 act had a section specifically making slaves entailable when annexed to entailable lands. The privy council upheld the general court's decision that slaves could never be entailed unless annexed to land.

14. Botetourt's instructions provided that all civil cases exceeding the value of £500 could be appealed to the privy council in England, if done so fourteen days after sentence by the governor and council.

15. William Wildman Barrington (1717-1793), the eldest son of John Shute, first Viscount Barrington. Barrington held several important positions during his life: in 1746 he was one of the lords commissioners of the admiralty; in 1755 he was made a member of the privy council; in 1756 he was secretary at war; in 1761 chancellor of the exchequer; and in 1762 treasurer of the navy. During the years Botetourt was in Virginia, he was again serving as secretary at war, a position he held from 1765 to 1778.

16. The Reverend Mr. Arthur Hamilton, licensed for Virginia on 11 June 1768; announced as Lord Botetourt's chaplain in the Virginia Gazette (Purdie and Dixon) of 3 November 1768; and unanimously chosen rector of Petsworth Parish in Gloucester County on 12 December 1768. He was rector of Petsworth until 1777. He applied in 1775 for Kingston Parish, but was not chosen. He officiated in Stratton-Major Parish, King and Queen County, in 1778. He was loyal to the American cause in the Revolution.

17. Captain Samuel Thompson of the Rippon.

18. C.O. 5/1346, ff. 105-106. A printed copy may be found in EJC, 6: 302-303.

19. C.O. 5/1346, ff. 107-108.

20. Williamsburg's charter of incorporation called for a mayor, recorder, six aldermen, and twelve common councilmen to run the city. According to the Virginia Gazette (Purdie and Dixon) of 3 December 1767, James Cocke was chosen mayor on St. Andrew's Day (for one year) and Dr. George Gilmer, John Tazewell, Alexander Craig, Benjamin Powell, and James Geddy were elected to the common council, there being five vacancies. The other officers are unknown.

21. C.O. 5/1346, ff. 109-110.

22. James Horrocks was president of the College of William and Mary from 1764 to 1771. There were six professorships at the time, of which only three were filled: Reverend Josiah Johnson, master of the grammar school; Reverend Emmanuel Jones, master of the Indian school; and Reverend John Camm, professor of divinity. Yet to be replaced: William Small, professor of natural philosophy and mathematics, who returned to Birmingham, England, in 1764; Reverend Richard Graham, professor of natural philosophy and mathematics, 1749-1758 and 1764-1766, and professor of moral philosophy, 1761-1764, who returned to Oxford University in England in 1766; and Reverend Bartholomew Yates, professor of divinity, who had died in 1734.

23. In 1741 Botetourt became a member of Parliament for Gloucestershire. In 1764 he was made Baron de Botetourt, and thereupon sat in the House of Lords.

24. The Interregnum between Charles I's beheading in 1649 and Charles II's retrieval of the crown in 1660.

25. The privy council in September of 1692 provided the following sources of revenue for the college: £1,985.14s.10d., from the Virginia quitrents; the proceeds of an act of Parliament of 1673 of one penny per pound upon all the tobacco exported from Maryland and Virginia to ports other than England; the profits of the office of the surveyor-general of the colony; and twenty thousand acres of land, half in the Pamunkey Neck and half on the Blackwater. The general assembly seems to have passed laws intermittently to help the college: for example, in 1693 the college received the proceeds from duties on hides and skins (Hening, Statutes at Large, 3: 123-124); in 1726 the assembly gave the college £200 per annum out of a duty on liquors (*ibid.*, 4: 143-150); and in 1759 it supplemented this by giving the college the revenue from a tax on peddlers (*ibid.*, 7: 283-288).

26. C.O. 5/1332, ff. 74-75. ALS. Endorsed as received 11 February 1769.

27. William Conway, an agent whom Botetourt employed to manage his English affairs.

28. C.O. 5/1332, ff. 76-77. Endorsed as read 6 December 1769.

29. *Ibid.*, ff. 78-79. Endorsed as read 6 December 1769.

30. Some of the governor's functions were required to be performed with the advice and consent of the council. Besides recommendations on summoning the assembly, they also advised the governor on establishing martial law and appointing judges and other officers. In such matters as suspension of officers and dissolving the assembly, he could act on his own, but usually sought the council's consent.

31. C.O. 5/1332, ff. 82-83. Endorsed as read 6 December 1769.

32. C.O. 5/1332, ff. 80-81. Endorsed as read 6 December 1769.

33. Hening, ed., Statutes at Large, 8: 250-251.

34. Ibid., 240-241.

35. Ibid., 255-256.

36. Ibid., 260-261.

37. Ibid., 261-262.

38. Ibid., 237-238.

39. C.O. 5/1347, ff. 11-12. ALS. Endorsed as received (4?) January 1769.

40. John Stuart (c.1700-1779), superintendent of Indian affairs for the southern half of America. He emigrated from Scotland to America about 1748 and was appointed superintendent in 1762. At first he was without definite powers and a staff and was subordinate to the colonial governors, who up to this time had handled Indian affairs themselves. Following the Proclamation of 1763, he became responsible to the secretaries of state in England, although still cooperating with the

governors and commander-in-chief in America. He concluded treaties with the Cherokee at Hard Labour in 1768 and at Lochaber in 1770. In 1775 his arrest was ordered by the assembly of South Carolina on the charge of attempting to incite the Catawba and Cherokee in the British interest. He fled to Florida and remained there until his death four years later.

41. John Blair (1687-1771), born in Virginia, and appointed in 1743 to the council. As president of the council he was acting governor of the colony from the departure of Governor Dinwiddie in January 1758 until the arrival of Lieutenant Governor Francis Fauquier in June 1758; and from the time of Fauquier's death in March 1768 until the arrival of Botetourt in October 1768. When Botetourt died on 15 October 1770, the government devolved for a third time upon Blair, but he immediately resigned because of old age and infirmity, and was succeeded by William Nelson. He died in November 1771.

42. John Pownall (1725-1795), an under-secretary of the colonial office. He entered the Board of Trade in the capacity of clerk in 1741. In 1745 he became solicitor and clerk of reports for the board. In 1753 he was appointed acting or joint secretary and in 1758 he became secretary of the board. In 1768 he united the offices of secretary and clerk of reports for the Board of Trade with that of the under-secretary of state for the American Department. He resigned in 1776, becoming commissioner of excise and

commissioner of customs in 1785. His brother Thomas (1722-1805) was lieutenant-governor of New Jersey (c.1753) and governor of Massachusetts in 1757.

43. The rule that governors should correspond with the home government was established early, probably by 1670. By 1690 at least the governors were required to correspond both with the Lords of Trade (later the Board of Trade) and with the secretary of state. In an order in council of 11 March 1752 George II directed the governors to correspond mainly with the Board of Trade and with the secretary of state only in cases of immediate and pressing importance (C.O. 324/15, pp. 286-291). The order in council of 8 August 1766 instructed that the governors correspond with one of the principal secretaries of state, sending only copies to the Board of Trade (C.O. 5/24, ff. 21-22). A circular letter of 4 July 1768 to all the colonial governors instructed that they correspond with secretary for the American department Lord Hillsborough, who, as president of the Board of Trade, would lay before the board any matters he believed necessary (C.O. 5/241, pp. 81-82).

44. One of the chief sources of revenue in Virginia was the duty of two shillings per hogshead on exported tobacco paid by the shipper in the colony. It was first imposed in March 1657/1658 by the assembly to help pay its expenses. By 1680 Governor Culpepper had made the duty permanent, and instead of being accounted to the assembly, it was considered a royal revenue. The tax was computed semiannually (April to

October, and October to April). By 1768 it was largely evaded. See Hening, ed., Statutes at Large, 1: 491-492, 523, 2: 130-132, 176-177; and H. R. McIlwaine, ed., Journals of the House of Burgesses of Virginia 1659/60-1693 (Richmond, Va.: Everett Waddey Co., 1914), xxv-xxvi. The duty was used to pay the salaries of the governor and other colonial officers, for the usual contingent charges of government, and was the principal fund upon which the governors depended.

45. These were no doubt aspersions on Botetourt's appointment to the governorship of Virginia. "Junius," it is known, had referred to him as "a cringing, bowing, fawning, sword-bearing courtier," and another correspondent in the English newspapers ("One of the People") is mentioned in the Virginia Gazette (Purdie and Dixon) of 12 January 1769 as having written an article prejudicial to Lord Botetourt. There were no doubt many persons in England who questioned the advisability of appointing Botetourt, a man of untested and unknown abilities, to the difficult post of governor of Virginia, and there were others who suggested publicly that he accepted the post as a method of fleeing his creditors.

46. Allan Ramsay (1713-1784), who in 1767 succeeded John Shackleton as portrait-painter to His Majesty, George III. The king's habit of giving away full-length portraits of himself and Queen Charlotte kept Ramsay constantly employed until a few years before his death, when he suffered an accident to his arm; Ramsay was unable to paint from that time until he died in 1784.

47. C.O. 5/1347, ff. 13-15.

48. Hard Labor was in South Carolina near the Savannah River and no doubt to the Hard Labor Creek found in McCormick and Greenwood Counties.

49. Rather than organized nations, as English officials called them, the major tribes of the Southeast were loose alliances of villages that were often linked in geographic groupings, or divisions. The villages of the Cherokee were often divided into the Lower, Middle, Valley, and Overhills. Collectively, they claimed lands from Georgia and Alabama through Virginia and Tennessee and even up to the Ohio River. The ranking Cherokee chief at the Hard Labor meeting was Oconostota, who had become chief after the French and Indian War. He allied with the English in the Revolutionary War. He resigned the chiefship to his son after the Revolution and died about 1783.

50. The Lords Commissioners of Trade and Plantations (commonly called the Board of Trade) was created in 1696 as an advisory body to the king. Anything having to do with colonial affairs was within its jurisdiction. Among other things, it recommended to Parliament legislation that concerned the colonies, had a voice in appointing governors, and examined colonial laws and suggested whether they should be allowed or disallowed. The board had recommended in a report of 7 March 1768 that Stuart ratify the line he is now reporting to Blair (see C.O. 5/69, ff. 60-86).

51. A point on the Savannah River some ten miles south

of the border of Abbeville and Anderson counties in South Carolina.

52. The Savannah River on the boundary of Georgia and South Carolina.

53. Also called Dewises, Devises, Dewitt's, or Duet's Corner, it is the present-day Due West, Abbeville County, South Carolina.

54. The Reedy River in South Carolina. The point (Waughoe) is at about $34^{\circ}40'$ latitude near the border of Greenville and Lauren counties on the Reedy. Wahoo was a name used in Georgia and South Carolina for the cork or winged elm, but for many years was applied indiscriminately to any type of elm.

55. Mount Tryon, located in Polk County, North Carolina.

56. John Chiswell was a burgess from Hanover County from 1744 to 1755, when he moved to Williamsburg and represented the city in 1756, 1757, and 1758. In 1757 he discovered lead and zinc mines on the New River (which connects with the Kanawha), about which time Fort Chiswell, a few miles distant, was erected and named for him. In 1760 he was granted one thousand acres on the New River by the Virginia council and in the following years he operated a lead mine on his property (present-day Austinville, Wythe County, Virginia). Chiswell's Mines was a landmark often referred to in Indian negotiations concerning the Virginia-Cherokee section of the boundary line.

57. The Kanawha River is in West Virginia. Its confluence with the Ohio is just west of the present Point Pleasant,

Mason County, West Virginia.

58. In June 1765 in Augusta County, Virginia, frontiersmen slaughtered nine Cherokee. Only two of the murderers were apprehended and these were broken out of jail by the "backsettlers." The murderers were therefore never punished and no presents were sent to soothe the wounded feelings of the relatives of the slain. They took revenge in the summer of 1767 by killing five people who were on their way west.

59. A Cherokee settlement on the Tellico River, a branch of the Tennessee River, in Monroe County, Tennessee, near the North Carolina border.

60. See the letters of Lieutenant Governor Fauquier of 17 September 1767 (C.O. 323/24, pp. 671-674) and of 21 November 1767 (C.O. 5/69, ff. 131-132).

61. Stuart is probably referring here to an act passed by the Pennsylvania legislature on 17 February 1768, in which £3000 was allocated toward allaying the discontent of the Pennsylvania Indians (James T. Mitchell and Henry Flanders, comps., The Statutes at Large of Pennsylvania from 1682-1801, vol. 7 [Phila., Pa.: Wm. Stanley Ray, 1902], 155-158). These Indians still recalled angrily the many massacres resulting from Pontiac's War (the massacre of the Conestoga Indians by the Paxton Boys in 1763, for example) and resented the continuing encroachments of the Pennsylvanians upon lands they had not sold or ceded to the English. Their feelings came to a head when, on 10 January 1768, Frederick Stump murdered six

drunken Indians and then four more in an effort to keep the murders from being discovered. The legislature finally took action to soothe the Indians by passing the above act.

62. The Creeks formed a loose confederacy of people who populated an extensive area of the Southeast (Alabama and Georgia). Their far-flung settlements and various racial characteristics made them even less unified than the Cherokee. The two largest divisions of the tribe were the Upper Creeks, who resided chiefly on the Coosa and Oakfuskie rivers, and the Lower Creeks, who resided in the valleys of the Chattahoochee and Flint rivers. A third division of the tribe was evolving in this period, coming to be identified as the Seminoles in the 1770s. The Seminoles, an offshoot of the Lower Creeks, were just beginning at this time to move into Florida.

63. The influential American trader and agent for Indian affairs, George Galphin, had headquarters at Silver Bluff. The Yuchi Indians (incorporated into the Creek nation in the 1800s) also at one time had a village there. It is on the Savannah River in Aiken County, South Carolina.

64. Demarcation of the boundary had been undertaken in June 1768 by Roderick McIntosh, Stuart's commissary, at Augusta, Georgia, on the Savannah River. The Creeks, however, broke off the negotiations. Stuart went to Savannah in July, conciliated the Indians, and made plans to return in the fall. At that time he met with the Creeks at Silver Bluff; this meeting led to the signing of a treaty on 12 November 1768

formally ratifying the line.

65. Probably Samuel Stalnaker (not Stairacre as in the postscript), a German emigrant from Pennsylvania, who settled in 1750 on the middle fork of the Holston River, where he was visited in 1768 or 1769 by J. F. D. Smythe, the English traveler. In 1757 he was a captain of militia.

66. This and the next three letters (signed copies) are found in C.O. 5/1347, ff. 15-16.

67. Colonel Andrew Lewis (1720-1781), born in Ulster, Ireland. He served in the French and Indian War as a major, was county lieutenant of Augusta, and representative to the legislature from Botetourt County 1772-1775. On 15 June 1768 he and Thomas Walker were nominated by the council as commissioners to attend the conference being held by Sir William Johnson in Pennsylvania for the extension of the Indian boundary line. In later years he won a victory over the Indians in the battle of Point Pleasant, during Lord Dunmore's War. In 1776 he was commissioned a brigadier-general in the Continental Army, drove Dunmore from Norfolk and Gwyn's Island, and was on duty in the lower part of Virginia when he died of a fever in 1781.

68. In Bedford County, Virginia.

69. Alexander Cameron, a native of Scotland. He was an ensign in His Majesty's Independent Regulars during the Seven Years War. When the Independent Regulars disbanded, he began to search for the two thousand acres of land to which he was entitled by the Proclamation of 1763. He was at this time

employed by John Stuart and was promoted to deputy Indian superintendent by 1768. He died at Savannah on 29 December 1781.

70. William Callaway, the founder of New London in Campbell County, Virginia. He was county lieutenant of Bedford County during the French and Indian War and burgess from the county from 1754-1765. On 19 October 1768 he was appointed by the council to take care of the goods and presents for the Indians who were to be meeting 10 November 1768 at Chiswell's Mines.

71. Matthew Ashby, according to a notation made by Callaway on 10 November 1768 upon receipt of Botetourt's letter. Possibly the free mulatto, who in 1769 is listed as petitioning the council to be allowed to free his wife and her children, whom he had recently purchased. (See EJC, 6: 334-335.)

72. Israel Christian, a merchant who lived first at Staunton and afterward in that part of Augusta County that is now Botetourt County. He was burgess from Augusta in the assemblies of 1758-1761 and 1761-1765. On 19 October 1768 he was appointed by the council to supply the provisions for the Indian conference at Chiswell's Mines. Archibald Cary was to purchase the presents and take both the presents and goods to Callaway in Bedford County.

73. C.O. 5/1347, ff. 17-18.

74. Ibid., ff. 19-20.

75. Richard Corbin, of "Buckingham House" and "Corbin

Hall," Middlesex County, and "Laneville," King and Queen County, was deputy receiver general at this time. He was a burgess from Middlesex County and was appointed to the council in 1750. He was appointed receiver general of Virginia in 1754 and probably died in or subsequent to 1787. His duties as receiver general included the receiving of quitrents, the revenue arising from the duty of two shillings per hogshead on tobacco, the one penny per pound on tobacco exported from Virginia to any other English colony in America, the port duty of fifteen pence per ton on all vessels arriving in Virginia, and all funds of the colony not received by the treasurer. He kept an account of the sale of all rights to land, and received the forfeitures, escheats, and fines imposed by the General Court. He paid out of the two shillings per hogshead revenue, on the order of the governor in council, the salaries of the officers of the colony and also its auditor-general and solicitor, both resident in London. He was a royal appointee.

76. These are the totals of the naval officers' accounts of revenue received in each district.

77. There was a fee imposed for the right of taking up land, equivalent to five shillings for every fifty acres.

78. Revenue was also derived from fines and forfeitures arising under acts of Parliament or assembly for breach of penal law, contempt of court, conviction for felony or trespass, the fee of two shillings per acre for escheated land, and so on.

79. Oyer and terminer courts were originally special

courts held in cases involving criminal proceedings. They were authorized by Queen Anne in 1710. By the 1720s a precedent had been established that only councillors would serve on the court. Thereafter these councillors insisted that a commission of oyer and terminer be issued every June and December, even if there were no prisoners in the jail. The courts were used to try criminals after the adjournment of the General Court.

80. Robert Cholmondeley (1727-1804), the second son of the third Earl of Cholmondeley. Cholmondeley was rector of St. Andrew's Hertford; born on 1 November 1727 and died 5 June 1804. He was appointed Surveyor and Auditor-General of His Majesty's Revenues in America in 1756. All the accounts of the royal revenues were sent to him and then presented, after examination, by him to the commissioner of public accounts and to the Lords of Treasury.

81. James Abercromby was Virginia's agent and solicitor, officially representing the colony in London. (He had also been agent for North Carolina from 1749 until late 1757 and private agent of Governor Glenn of South Carolina.) He had replaced Peter Leheup as Virginia's agent in 1753. In 1759 the House of Burgesses appointed their own agent, Edward Montague. Abercromby continued to negotiate Virginia's affairs relating to the royal revenues and all matters of the colony except those in which the House of Burgesses had control or special interest. Abercromby therefore negotiated matters concerning the appointment of officials, land grants, and revenues. Montague presented the assembly's addresses to the

king, obtained consent to acts of assembly, and negotiated matters of trade and finance. Abercromby served at least until 1 September 1774, and Montague until February 1772.

82. John Randolph (1727?-1784), educated in the law in the Middle Temple in London. He served as clerk of the House of Burgesses from 1752 to 1766. He succeeded his brother Peyton Randolph as attorney-general in about 1766. He went to England on the eve of the American Revolution and died there in 1784. His body was later brought back to America and buried in the William and Mary College chapel. His duties as attorney-general included prosecuting criminals at the General Court and the courts of oyer and terminer, giving his opinion on matters requiring a legal knowledge, explaining instructions from the home government, assisting the committees of the assembly in their examination of bills referred to them, and prosecuting persons evading trade regulations or otherwise defrauding the government.

83. Nathaniel Walthoe, who had arrived in Virginia by at least 1740, when he became clerk of the council. He served as clerk until 1770, when he died, and was replaced by John Blair, Jr. His duties included taking minutes at the council meetings and acting as liaison man between the council and the assembly.

84. The adjutant or major-general of musters was a royal appointee. By about 1755 there was an adjutant for each of the four military districts into which Virginia was divided.

85. James Anderson (1740-1798), who was born in Gloucester

County in 1740 and is known to have been in Williamsburg from 1762 to 1798. He was a blacksmith by trade; in April 1766 he was appointed public armourer to replace John Bell, who had moved from Williamsburg. During the Revolutionary War he rented his shop, tools, and workmen to the government for public use.

86. There were few forts in the colony. Five had been established by 1671. These five forts, or batteries as they were called, were still of service in 1726 and were furnished from the magazine at the capitol. This number was later reduced, since in 1755 there were only three batteries. In 1756 several were established on the frontier. Each fort was supplied with one gunner and the captain in charge of the fort was usually appointed by the governor.

87. One of the peripheral members of the General Court was the minister serving them as chaplain. Since 1660 the House of Burgesses had appointed a minister to read prayers before each day's session. The council had no chaplain of its own, and the minister appointed by the assembly was also minister to the General Court. It seems that his primary duties were to preach to the council each morning and to visit condemned prisoners in the public gaol.

88. John Blair was appointed deputy auditor in 1728 and served in that capacity until his death in 1771. Deputy auditors were appointed in each colony by the auditor-general in England under the authority of the Lords of the Treasury. The auditor examined all the revenue accounts for his colony

(naval duties, quitrents, fines and forfeitures, and so on). He then forwarded these accounts through the auditor-general to the Lords of the Treasury.

89. C.O. 5/1347, ff. 21-22. ALS. Endorsed as received 3 January 1769.

90. The king had instructed Botetourt to make inquiries into the character and beliefs of the burgesses and councillors before he met them in general assembly and to hold private conferences with these men to try to convince them that the principles they seemed to have adopted were erroneous, factious, unjustifiable, unconstitutional, and extremely offensive to His Majesty. See C.O. 5/1346, ff. 77-80, and Labaree, Royal Instructions, 1: 364.

91. John Henry, father of Patrick Henry. He was born in Foveran, Scotland, and educated at King's College, Aberdeen, in the 1720s. By 1727 he had emigrated to Virginia and was settled in Hanover County. He became colonel of the regiment, county surveyor, and presiding magistrate of Hanover County (he was presiding magistrate in the famous Two-Penny Case or Parson's Cause, argued by his son). In 1766 Henry petitioned the House of Burgesses, seeking aid for a proposed map of Virginia (to stand 5' x 3' and to contain statistical information about the colony) (John Pendleton Kennedy, ed., Journals of the House of Burgesses of Virginia 1766-1769 [Richmond, Va.: Everett Waddey Co., 1906], 21; hereafter cited as JHB 1766-1769). On 5 December 1766 his petition was rejected by the house (and again on 5 April 1768 and 17

November 1769) (*ibid.*, 55, 149-150, 266). Colonel Henry was able to complete the map by private subscription. It was published in London in 1770, after Patrick had purchased the publication rights. In his letter no. 29 of 18 January 1770 Lord Hillsborough stated that His Majesty was pleased to grant Henry the sign manual which would secure to him the sole right of vending his map and that it had been taken out for him by Mr. Hanbury (C.O. 5/1348, ff. 23-24). It does not appear that he was ever given a gratuity for making it. Henry died 1 February 1773.

92. The council proceedings were probably either the journal of the council in assembly, 31 March-16 April 1768 (C.O. 5/1435, ff. 203-209), or the executive journal of the council for 8 September 1767-17 November 1768 (*ibid.*, ff. 187-202), or both. The former are printed in H. R. McIlwaine, ed., Legislative Journals of the Council of Colonial Virginia, In Three Volumes (Richmond, Va.: Everett Waddey Co., 1919), 3: 1379-1385; hereafter cited as LJC; and the latter in EJC, 6: 279-308.

The journals of the House of Burgesses were for the second session of 31 March 1768-16 April 1768 and are to be found in C.O. 5/1438, ff. 75-106, and in JHB 1766-1769, 141-177.

The seven acts of assembly sent were for the same session and can be found in C.O. 5/1403, ff. 1-11; in Hening, ed., Statutes at Large, 8: 295-304; and listed in JHB 1766-1769, 176. The naval returns are unidentified. Those for 1766-1770

are found in C.O. 5/1450, but are not endorsed, making it impossible to know exactly which returns Botetourt sent.

93. C.O. 5/1332, ff. 84-85.

94. Captain James Barron of the Molly, listed in the 22 December 1768 Virginia Gazette (Purdie and Dison) as cleared for London.

95. C.O. 5/1347, f. 23.

96. Ibid., ff. 24-25.

97. The charter of incorporation for Norfolk (1736) calls for a mayor, recorder, eight aldermen, and sixteen common councillors.

98. C.O. 5/1347, ff. 26-27.

99. The Quakers started coming to Virginia during the Puritan Commonwealth. The two largest Quaker centers seem to have been around Henrico and Nansemond counties. Virginia at first tried to exclude the Quakers from the colony and also to remove from office any known Quaker. After the Toleration Act of 1689 went into effect, however, the laws against their holding religious services were abolished and the chief method of repression thereafter consisted in the enactment of laws governing the militia and requiring their attendance at military drill. They were fined for not going to the quarterly general musters held in every county. But by 1705 they were allowed to affirm rather than to swear oaths and in 1767 the legislature passed an act that Quakers were not to be subject or liable to any fine, forfeiture, or penalty for absenting themselves from the private or general musters of their respective

counties, so long as they provided a complete set of arms for one soldier for that county to use and found a substitute in time of invasion or insurrection (Hening, ed., Statutes at Large, 8: 241-245).

100. C.O. 5/1332, ff. 48-49. Endorsed as read 7 March 1769. These letters are not found in C.O. 5/1347, but have been included here because they are endorsed as received in Botetourt's no. 5. These letters are all marked "Received Nov. 25th" in Botetourt's hand, and are copies of the answers made by him.

101. Thomas Walker (1715-1794), of King and Queen County. He was educated at the College of William and Mary, and afterward studied medicine. He was also an active merchant and surveyor of land. From 1752-1754 he represented Louisa County in the assembly, but resigned when appointed county surveyor. In 1757-1761 he represented Hampshire County, in 1761-1772 Albemarle, and in 1775-1776 Louisa. He was a member of the Revolutionary conventions of 1775 and 1776 and served as a member of the Virginia council of state in 1777.

102. Captain William Ingles, of whom little is known. He is reported to have been with William Christian in 1763 in an encounter with the Indians on the New River. He is also listed as a member of the Fincastle County committee of 1774-1775.

103. William Christian (1743-1786), son of Israel Christian, born in Augusta County in 1743. He was a burgess for the new Fincastle County in 1773 and until 1775-1776. He was a member

for Fincastle in the convention of 1775, lieutenant-colonel of the First Virginia Regiment, and in 1785 moved to Kentucky, where he was killed in 1786 by the Indians.

104. C.O. 5/1332, ff. 50-51. ALS. Endorsed as received 10 February 1769 and read 7 March 1769. There is also a notation that a duplicate of the letter was received the 7th instant, but without the map and letter from the attorney general.

105. Fort Stanwix was built by John Stanwix (1690?-1766) in 1758, when he was serving in America during the French and Indian War. The fort was in present-day New York, near the headwaters of the Mohawk River and the present city of Rome, Oneida County.

106. Unidentified.

107. Sir William Johnson (1715-1774), who was born in Ireland and emigrated to America about 1737 or 1738. He was appointed a colonel of the Six Nations in 1744 and Commissary of New York for Indian Affairs in 1746. In 1750 he was appointed a member of the New York council. For his activities as a major-general in the beginning of the French and Indian War, he was made a baronet in 1755. In that same year he was appointed superintendent of the Six Nations by General Edward Braddock. In 1756 he was made sole agent and superintendent of the Six Nations and other northern Indians by the king. He was in charge of the treaty made at Fort Stanwix in 1768 and died in 1774.

108. The act of 1752 was passed by the February 1752

assembly and entitled "An Act for encouraging persons to settle on the waters of the Mississippi" (Hening, ed., Statutes at Large, 6: 258). It exempted any such settlers from payment of all public, county, and parish levies for ten years. The 1753 act was passed in the second session of the same assembly and was entitled "An Act for further encouraging persons to settle on the waters of the Mississippi" (ibid., 355-356). It provided settlers exemption from the same taxes as the first act for the next fifteen years. Not mentioned by Botetourt is an act of the third session of the legislature, and entitled "An Act for the encouragement and protection of the settlers upon the waters of the Mississippi" (ibid., 417-420). In order to protect the settlers against the French and Indians, the treasurer of the colony was empowered by this act to borrow up to £10,000 at a rate of 6 percent per year and apply it to the defense of the settlers.

109. See C.O. Maps/700/Virginia/18.

110. C.O. 5/1332, ff. 71-73. Endorsed as read 7 March 1769.

111. The largest and most important Indian settlement at the time. It was situated a short distance from the forks of the Susquehanna River, at the present Sunbury, Northumberland County, Pennsylvania. Its population was composed of Delaware, Shawnee, and Iroquois.

112. Alexander McKee, who followed his father, Thomas McKee, into the Indian service and continued in it for many years. He became assistant in 1760 to George Croghan in the department that had its headquarters at Fort Pitt. When

Croghan resigned in 1771-1772, Johnson appointed McKee deputy agent pro tempore. In the Revolutionary War he fought on the side of the king.

113. Johnson Hall, Sir William Johnson's home, was near the present Johnston, Fulton County, New York.

114. The Iroquois confederation of the Cayuga, Mohawk, Oneida, Onondaga, Seneca, and Tuscarora. The first five had formed a confederacy known as the Five Nations not earlier than 1570. The Tuscarora were admitted in 1722. The dominion of the Six Nations was acknowledged from the Ottawa River to the Tennessee and from the Kennebec River to the Illinois River and Lake Michigan.

115. C.O. 5/1332, ff. 58-65, Endorsed as read 7 March 1769.

116. William Franklin (1731-1813), son of Benjamin Franklin and last royal governor of New Jersey (1763-1776). In 1776 he was declared an enemy of New Jersey's liberties by that colony's provincial congress and arrested. He was exchanged in 1778 and acted for a while as president of the Board of Associated Loyalists in New York, but soon left for England, where he died in 1813.

117. Richard Peters (c.1704-1776), was born in Liverpool, England, and emigrated to Philadelphia in 1735. In 1737 he was appointed secretary of the provincial land office, which office he held until 1760. In 1742/43 he was appointed provincial secretary and clerk of the council, and in 1749, provincial councillor. As provincial secretary he directed Indian affairs, therefore attending the Albany congress in

1754 and the Fort Stanwix in 1768. In 1762 he retired as secretary and clerk of the council, but retained his position as councillor until his death in 1776.

118. James Tilghman (1716-1793), born at the Hermitage, his family seat on the Chester River in Maryland. He studied law and practiced in Annapolis, Maryland. He moved to Philadelphia in 1760. He was asked by John Penn in 1765 to become secretary of the land office in Pennsylvania. He was chosen a common councilman of Philadelphia in 1764, and in 1767 he became a member of the provincial council, retaining that position until the Revolution. He attended the Fort Stanwix treaty, representing Pennsylvania.

119. A Mohawk chief, who succeeded King Hendrick, after Hendrick was killed at the Battle of Lake George in 1755. He was present at a meeting of the Mohawk with the American commissioners at Albany in 1775, but after that he dropped out of sight. He was succeeded by Joseph Brant.

120. John Penn (1729-1795), the grandson of William Penn. From 1752 to 1755 he served as a member of the Pennsylvania council, but then returned to England. In 1763 he returned to Pennsylvania as its lieutenant governor. In 1771 he went back to England, but in 1773 resumed the office of lieutenant governor, which he held until 1776. He remained in America until his death in 1795.

121. Conaquieso (also Conoghquieson and Canaghquieson), an Oneida chief, active 1755-1775.

122. The council in 1765 at which Johnson tried to bring

peace and to end Pontiac's War. Many of the Six Nations were in attendance. In 1764 Johnson had had George Croghan, who was in London, present a memorial to the Lords of Trade in which he urged the purchase of a large tract of land whose western boundary would be the Ohio, with all land west of it expressly reserved to the Six Nations for their hunting grounds. At the 1765 council Johnson, although not yet empowered to settle anything definitely, used the opportunity to sound the Indians out on the proposal. They were enthusiastic and proposed a line running from the German Flats to Oswego (on the eastern brach of the Susquehannah); thence to Fort Augusta (Sunbury), from there up the western branch of the Susquehannah to Kittanning; and then down that river to the Cherokee (Tennessee River). The council itself was held at Johnson Hall in April and May 1765, and the Indians also agreed to reimburse certain traders who had suffered in the war.

123. Assarogoa was the name which the Indians had conferred upon the governor of Virginia and by which they always addressed him or his representatives.

124. Onas, in the Iroquois language, signifies a "pen," and was the title by which William Penn, and the governors who succeeded him, were addressed by the Indians.

125. The Cherokee River is the present Tennessee River, which meets the Ohio River at the city of Paducah, McCracken County, Kentucky.

126. Kittanning was a village of Iroquois, Delaware, and Caughnawaga. It was near the site of the present Kittanning

on the Allegheny River, Armstrong County, Pennsylvania.

127. Probably near Mahaffey, Clearfield County, Pennsylvania.

128. The Allegheny Mountains, the western range of the Appalachian Mountains in Pennsylvania, Maryland, Virginia, and West Virginia.

129. Pine Creek, which heads in Potter and Tioga Counties, Pennsylvania, and which enters the western branch of the Susquehannah near Jersey Shore, on the line between Clinton and Lycoming counties. It was first assumed that the Indians were referring to the present Lycoming Creek in the treaty, but they explained at the Treaty of Fort Stanwix of 1784 that they had meant Pine Creek in the earlier treaty.

130. Burnett's Hills was a ridge of hills just below Towanda Creek and at the point where Bradford, Tioga, Sullivan, and Lycoming counties, Pennsylvania, meet.

131. Towanda Creek, the source of which is in Tioga County and which enters the Susquehannah about two miles below the town of Towanda, Bradford County, Pennsylvania. The treaty line crossed the Susquehannah at the mouth of the creek.

132. Owego was an Indian village of mixed population, among which were a number of Shawnee. It was at the site of the present Owego, about two miles from the Susquehannah on Owego Creek, Tioga County, New York.

133. A portion of the Delaware River forms the boundary between Delaware County in New York and in Pennsylvania. The point being spoken of is probably near Deposit on the Delaware-Broome counties line, New York.

134. Tianaderha is the present-day Unadilla River, which forms the boundary between Chenango and Ostego counties, New York. It falls into the Susquehannah just west of Sidney, Delaware County, New York.

135. Near Babcock Hill, Oneida County, New York.

136. Canada Creek empties into Wood Creek (which is on the eastern edge of Lake Oneida) just a few miles northwest of Rome, Oneida County, New York (the long carrying place).

137. John Henry Lydius (1693-1791), a prominent Indian trader in the colony of New York. He served as Indian agent for the colony of Massachusetts sporadically from 1747. He was disliked by the Indians. At an Indian conference held at Mount Johnson in 1755, for example, an Oneida chief referred to him as a devil, and as a man who got the Indians drunk and then stole their lands. He died in Kensington (near London) in 1791, having gone to England in 1776.

138. In the spring of 1763 the Shawanee, Delaware, and Huron tribes committed depredations (in violation of promises of safety and protection) upon a group of traders composed of the following men: William Trent, Robert Callendar, David Franks, Joseph Simons, Levy Andrew Levy, Philip Boyle, John Baynton, Samuel Wharton, George Morgan, Joseph Spear, Thomas Smallman, Samuel Wharton (administrator for John Welch, deceased), Edmund Moran, Evan Shelby, Samuel Postlethwaite, John Gibson, Richard Winston, Dennis Croghan, William Thompson, Abraham Mitchell, James Dundas, Thomas Dundas, and John Ormsby. At the Fort Stanwix treaty, these traders obtained the compensation

of a grant of a huge tract of land along the upper Ohio that became known as "Indiana." This project was merged with the Vandalia enterprise, but neither royal nor American authorization was ever received by the group.

139. George Croghan (d. 1782), was an Indian trader and agent and land speculator. He was born in Ireland and migrated to Pennsylvania in 1741. He made his home and base of operations at Carlisle, Pennsylvania. He established trading posts throughout the upper Ohio valley. In 1756 Sir William Johnson made him his deputy superintendent of Indian affairs. Croghan was present at the making of the Fort Stanwix treaty in 1768 and resigned as deputy in 1772. He was a member of the Illinois and Indiana land companies and in the Grand Ohio Company, which planned to establish a "fourteenth colony" at Vandalia, south of the Ohio. The Revolution wrecked his land operations and Croghan died in 1782 in poverty.

140. C.O. 5/1332, ff. 66-70. Endorsed as read 7 March 1769.

141. The Shawnee, a leading tribe of South Carolina, Tennessee, Pennsylvania, and Ohio.

142. The Delaware, occupying at one time the basin of the Delaware River in eastern Pennsylvania and southeastern New York, together with most of New Jersey and Delaware.

143. The Mingo, a term used in the later colonial period by the colonists to designate a detached band of Iroquois who had left the villages of the main body before 1750 and formed new settlements in Pennsylvania, on the upper Ohio River, in the neighborhood of the Shawnee and Delaware.

144. Frederick Smyth, who was appointed chief justice of New Jersey in 1764 and who remained in office until 1776. He was a loyalist during the Revolution and moved at its beginning to Philadelphia, where he remained the rest of his life.

145. An influential Tuscarora chieftain of the period.

146. Chenughiata (also Otsinoghiyata) was an influential Onondago chief, active from 1751 to 1774. He attended congresses at Canajoharie, Onondago, Ontario (with Pontiac), Fort Stanwix, German Flats, and Johnstown. He took part in the condolence of Johnson's death, and led in the celebration of his Niagra victory at Oswego. He retired in 1774.

147. An important Cayuga chieftain of the period.

148. Gaustarax, a Seneca chief. For years he headed the Genesee River division of the Senecas, which was anti-English. Although he signed the Six Nations release to Pennsylvania of the Susquehannah lands in 1736 and of lands north of the Kittatiny Mountains in 1749, he bitterly opposed the encroachments of white settlers on unpurchased lands and inspired a policy that for many years kept the Genesee-Allegheny region closed to white men. It was probably he who led the Indian forces against Colonel Bouquet at the Battle of Bushy Run in 1763. He died about 1771.

149. C.O. 5/1332, ff. 56-57. Endorsed as read 7 March 1769. The full minutes are found in EJC, 6: 308-309.

150. C.O. 5/1332, ff. 52-53. LS. Endorsed as read 7 March 1769.

151. Archibald Cary (1721-1787), born in Williamsburg. From 1747 to 1750 he was justice of the peace, burgess, and vestryman in Henrico County. From 1756 on he represented Chesterfield County. He sat on the committee of correspondence of 1773 and on all the Virginia Revolutionary conventions. Besides being a planter, he was also an industrialist, establishing a ropery, furnace and foundry, and a successful flour mill.

152. C.O. 5/1332, ff. 54-55. LS. Endorsed as read 7 March 1769.

153. According to the council journals, this letter (dated April 23) stated that Johnson had received directions to complete a boundary line immediately and that the Indians were to be advised to gather as soon as possible. He also asked that a map, or at least a survey, be taken of the frontiers from North Carolina to Pennsylvania. (See EJC, 6: 292. These are the minutes of the council for 15 June 1768.)

154. Stuart had been so instructed and indeed had tried to obtain Virginia's cooperation. See his letter to Botetourt of 19 January 1769 (C.O. 5/1332, ff. 100-101).

155. According to the journals of the council, the letter from Alexander Cameron was dated at Fort Prince George 9 June 1768 and signified that he had assembled the Cherokee chiefs, who had agreed to fix a boundary line and would meet 25 October with the commissioners from Virginia at Chiswell's Mines. Cameron also stated that he would deliver the goods mentioned to the Cherokees. (See EJC, 6: 297.)

156. Toqueh or Toquo, a Cherokee settlement on the Little Tennessee River, near the mouth of the Toco Creek, in Monroe County, Tennessee.

157. C.O. 5/1332, ff. 92-93. Endorsed as read 6 December 1769.

158. The admiralty court was established in Virginia in 1697. It tried cases involving violation of the Navigation Acts, cases involving illegal trading and the condemnation of ships, evasions of customs, controversies between the master of a ship and his mariners, and so on. Appeals could be taken from it to the High Court of Admiralty in England or to the king in council. There were four officers of the court: the judge, the register, the marshal, and the advocate. There was no regular time or place of meeting; the court was convened upon application to the governor and council when occasion demanded.

159. C.O. 5/1332, ff. 7-8. Endorsed as read 6 December 1769.

160. Reverend William Robinson (1716-1767/68), son of Colonel Christopher Robinson of Middlesex County. He was educated at Oxford in England. He returned to Virginia in 1744 and was made rector of Stratton Major Parish, King and Queen County, where he continued as rector until his death. He opposed the Two Penny Act and therefore incurred Lieutenant Governor Fauquier's enmity. Despite Fauquier's opposition, he was appointed commissary of the bishop of London in 1761 and became, as was usual, member of the colonial council. The

duties of the commissary included the general supervision of the clergy and the presidency of William and Mary College. He advised the governor on which men to recommend to the bishop of London for ordination. He was expected to call the clergy by the bishop's order and to preside over the meeting. He held a court for the punishment of the immoralities of the clergy, appeal from which lay to the delegates appointed by His Majesty's commission in England.

161. The Reverend James Horrocks (c.1734-1772), who was born in Wakefield, England. In 1761 he was licensed to preach in Virginia and in 1762 became master of the grammar school of the College of William and Mary. In 1764 he became the College's president. Upon Commissary Robinson's death Horrocks became commissary, councillor, and rector of Bruton Parish church. In 1771 he raised a storm in Virginia by advocating the establishment of an American episcopate. Shortly afterwards, ill, he left for England and died in Oporto, Portugal, in 1772.

162. Untraced.

163. C.O. 5/1332, ff. 94-95. ALS. Endorsed as received 10 February [1769] and read 6 December 1769 and that the duplicate of the letter was received the 7th instant without the inclosure.

164. The custom had gradually developed in Virginia of securing a patent to land by payment of a fee to the secretary of the colony, who affixed the colony's seal to it. By the beginning of the eighteenth century this custom was established by law, and the fee charged by the secretary set at five

shillings for every fifty acres of land granted. (See Hening, ed., Statutes at Large, 3: 305.) Botetourt's instructions provided that no more than one thousand acres should be held by one person, but these were largely ignored. The enclosure seems to have been separated and lost. The patents granted in 1752, 1753, and 1754 may be found in EJC, 6: 693-695.

165. The 20 October 1768 issue of the Virginia Gazette (Furdie and Dixon) announces the arrival of a Captain McNabb on the Isabella from London.

166. C.O. 5/1332, ff. 98-99. ALS. Endorsed as read 6 December 1769.

167. C.O. 5/1375, ff. 34vo. The circular is undated, but was probably written in July 1768. It states that the governor is not to communicate either to the council or the assembly the correspondence from the secretary of state.

168. Francis Fauquier (1703-1768), who was born in England. He was a director of the South Sea Company in 1751 and was elected a member of the Royal Society in 1753. He was appointed lieutenant governor of Virginia in 1758, and acted for the Earl of Loudoun (1756-1763) and Sir Jeffrey Amherst (1763-1768). The letter may be found in C.O. 5/1345, ff. 157-159.

169. William Petty (1737-1805), first Marquis of Lansdowne, but better known as the Earl of Shelburne. He was a member of parliament for High Wycombe in 1760. In 1761, upon his father's death, he took a seat in the House of Lords as Baron Wycombe. In 1763 he became president of the Board of

Trade and also member of the privy council. In 1766 he was appointed secretary of state for the southern department. When Hillsborough was appointed in 1768, Shelburne no longer had charge of the American colonies. He resigned in October and returned to active work in Parliament, where he remained until his death in 1805.

170. C.O. 5/1345, ff. 160-163.

171. Mary Dalton and Sarah Gibbs, who in December 1767 were fined £20 each and sentenced to twelve months' imprisonment. Their crime, a misdemeanor, was receiving stolen goods belonging to President John Blair. The Lords of the Treasury agreed to the remittance of the fines in January 1770 (C.O. 5/1348, ff. 21-22).

172. C.O. 5/1332, ff. 100-101. Endorsed as read 6 December 1769.

173. The letter of 10 February 1766 is found in C.O. 5/66, ff. 781-785, 788; that of 24 November 1766 in C.O. 5/67, pp. 205-213; and that of 2 March 1767 in C.O. 5/70, f. 134. The first regards the great discontent among the Cherokees occasioned by the murder of their countrymen by the inhabitants of Augusta County. In the second letter Stuart criticizes the Virginia government for not taking steps to compensate the relatives of the murdered Indians in Augusta County and reiterates the desire of the Cherokee for peace negotiations with the northern Indians. The letter of 2 March 1767 states that North Carolina has sent commissioners to talk with the Cherokee about the boundary line; Stuart points out that he

has heard nothing from Virginia on the subject and that the line will be extended no farther than North Carolina until he has heard from Virginia.

The letters of 17 December 1766 and 19 March 1767 are untraced.

The letter of 21 July (C.O. 5/70, ff. 138-139) states that Stuart, having it in his charge to give all possible satisfaction to the Indians relative to the prices of goods, had summoned all the traders to the Creek and Cherokee nations, to meet him in May and June last on the frontiers of Georgia and South Carolina with Indians deputed by their respective nations. At the meetings, Stuart writes, tariffs were settled with the mutual consent of the Indians and traders; he also advises that the Cherokees had met Governor Tryon in May to ascertain and mark a boundary behind his province and that this business was finished to the satisfaction of both parties; and then Stuart again asks Virginia for advice on the matter of this boundary line.

174. When Fauquier finally answered Stuart's letters in the fall of 1767, he wrote that he could not act in the absence of instructions from London and furthermore, if he had to set the course of the line himself, he would not know where to begin. Stuart, not he, Fauquier stated, should demonstrate the necessity of fixing the line. See C.O. 5/69, f. 265, and C.O. 5/70, f. 281.

175. The earl's circular letter of 13 September 1766 (C.O. 5/222, pp. 5-7) deplored the violences which had been committed

against the Indians by the back settlers and the discontents which had been raised among the Indians by settlement beyond the Proclamation Line of 1763. Shelburne directed the governors to cooperate with the king's commander-in-chief in America to prevent such settlement and violence.

176. The letter of 13 September 1766, according to John Richard Alden, John Stuart and the Southern Colonial Frontier (Ann Arbor, Mich.: University of Michigan Press, 1944), 247, is found in C.O. 5/225. Stuart is instructed to appease the Indians, rectify their wrongs, and settle the boundary. The letter of 11 December 1766 is found *ibid.*, ff. 14-18. In the letter Shelburne informed Stuart that he expected the superintendents, Thomas Gage, and the governors to obviate all temporary inconveniences until a new Indian plan could be formulated.

177. See, for example, Stuart to Shelburne, 28 July 1767, C.O. 5/68.

178. C.O. 5/70, ff. 144, 145. Blair states in the letter that he is unable to comprehend where the boundary line is to terminate since Pennsylvania is so much farther west.

179. The Board of Trade recommended on 3 December 1767 the expediency of issuing immediate orders for the final settlement of the boundary as proposed by the Indians in 1765. It also advised that the northern boundary be drawn but that it terminate at the Kanawha River because the Cherokee justly claimed the territory west of that stream and used it for hunting. See E. B. O'Callaghan, ed., Documents Relative to

the Colonial History of the State of New-York, 15 vols.

(Albany, N.Y.: Weed, Parsons & Co., [1853-1887]), 7: 1004-1005.

180. C.O. 5/1345, ff. 196-197.

181. The letter of 4 April 1768 is found in C.O. 5/70, ff. 146-147; that of 7 July 1768 in ff. 150-152; and that of 19 August 1768 in ff. 154-156.

182. In its report of 7 March 1768 the Board of Trade recommended the following changes in Indian affairs in the colonies: Control of the Indian trade was entrusted to the colonies. Political relations with the Indians were to remain under the superintendents. A new boundary line to protect lands reserved by the Indians was to be drawn, and treaties directed toward that end were to be negotiated by the superintendents with the consent of the governors of the colonies concerned. The Board of Trade also urged that Stuart obtain formal recognition of the Kanawha as boundary; or, since the Cherokee had abandoned any pretension to lands below Chiswell's Mines, of a straight line running from the mine to the mouth of the Kanawha. (C.O. 5/69, ff. 60-86.)

Hillsborough's 15 April 1768 letter signified that His Majesty had thought fit that the plan for the management of Indian affairs be laid aside, that the regulation of the trade be left to the colonies, that the superintendents be used for matters of immediate negotiation between the king and the Indians, and that the boundary line be ratified and confirmed. (See *ibid.*, p. 120, and EJC, 6: 297.)

183. On 15 September 1768 Hillsborough wrote to Stuart

that the line described in the Board of Trade's report of 7 March 1768 should be ratified and that he believed any further cession on the part of the Cherokee would be highly unwise (C.O. 5/69, f. 448).

184. C.O. 5/1332, ff. 102-105. Endorsed as read 6 December 1769.

185. William Tryon (1729-1788), who was born in Surrey, England. In 1764 he was appointed lieutenant governor of North Carolina. Upon the death of the governor, Arthur Dobbs, in March 1765, Tryon took command of the province and a few months later was commissioned governor. In 1771 he defeated the famous Regulator movement in the North Carolina back country. Also in that year he became governor of New York in replacement of Lord Dunmore, who was sent to Virginia. He served as colonel in the British army in the Revolutionary War. In 1780 he returned to England because of illness.

186. The site of Brunswick was in Brunswick County, North Carolina, fifteen miles south of Wilmington, North Carolina, near the mouth of the Cape Fear River.

187. Cape Fear is off Brunswick County, North Carolina. Fort Johnston is at the site of present-day Southport, Brunswick County. The fort was named after Gabriel Johnston, governor of North Carolina from 1734 to 1754.

188. Usteneka, commonly known as "Judd's Friend," because he was said to have saved the life of a man named Judd. He was an important Overhill Cherokee chief. In 1761 he visited Williamsburg and, upon seeing a portrait of King George,

insisted on going to England to visit him. He went to London in 1761-1762 (during the Cherokee War) and returned a thorough Anglophile. While in England Sir Joshua Reynolds painted his portrait and Oliver Goldsmith wrote an account of him in his Animated Nature. He was present at most of the important conferences held between the English and the Cherokee during this time.

189. Saluy, chief of several Cherokee towns, including Tugaloo and Estatoe. He attended all the important meetings held between the English and the Indians during this time. On 17 August 1770 Saluy appeared before Botetourt and the council in Williamsburg to state that the Virginians should ignore Stuart's new line (agreed upon at Lochaber in October of 1770) and that his people were willing to give up more land. This was arranged by commissioners Walker and Lewis through their agent Jacob Hite, a minor Virginia speculator. Botetourt ignored their speculative scheme, however, and supported Stuart and his line.

190. The Long Island of the Holston River near the site of Kingsport, Sullivan County, Tennessee, where the Reedy Creek empties into the south fork of the Holston.

191. Sir William Gooch (1681-1751), born in Yarmouth, England. He became lieutenant governor of Virginia in 1727. He negotiated the Treaty of Lancaster (July 1744) with the Six Nations, which insured protection for the colonists on the northern and western borders of the colony. In 1746 he was made a baronet. He resigned his Virginia office in 1749

because of declining health. He died in Bath, England, in 1751.

On 6 November 1747 Gooch had written to the Board of Trade asking what to do with petitions he was receiving for grants of land on the western side of the mountains. (See C.O. 5/1326, f. 277). On 2 September 1748 the Board of Trade recommended the encouragement of such grants and the garrisoning of a fort to protect the holders of the same (C.O. 5/1366, ff. 411-417). The reasons the board gave in its recommendation for settlement were that the colonists could thus cultivate the Indians and also check the advance of the French and protect the older colonies.

On 13 December 1748 King George II sent additional instructions to Gooch carrying out the above recommendations (ibid., ff. 422-425). Gooch was instructed to grant 200,000 acres to the men who had applied (John Hanbury and others). On 4 March 1749 the Board of Trade further instructed Gooch that they had approved an additional 300,000 acres to the same men, without payment of quitrents for ten years, provided that they build and garrison their own fort (ibid., ff. 439-444). The two legislative acts have already been discussed in note 108.

192. Robert Dinwiddie (1693-1770), born near Glasgow, Scotland. In 1738 he was appointed surveyor-general for the southern part of America. In 1751 he was appointed lieutenant governor of Virginia. He started the famous "pistole fee" controversy with the Virginians by charging a fee of a pistole

for signing land patents (which he ordered all landholders to take out) and for the use of the seal. The burgesses took their case to the Board of Trade and won, the board directing that no fee should be charged for patents on land west of the mountains or surveyed before 22 April 1752. In 1753 Dinwiddie sent George Washington to warn the French to withdraw from the Ohio region and to build a fort in 1754. He was responsible for Virginia's frontier defense during the French and Indian War. He left Virginia in 1758 and was replaced by Francis Fauquier.

On 6 August 1754 the Board of Trade recommended that the quitrents on all lands settled west of the mountains be remitted for ten years (C.O. 5/1367, ff. 116-117), and on 27 August 1754 this was ordered by the king in an additional instruction to Dinwiddie (ibid., ff. 118-122).

193. The Proclamation of 1763, which declared that territory acquired at the Treaty of Paris be organized as the provinces of Quebec, East Florida, West Florida, and Grenada. The laws of England were extended to these areas, and provision was made for the establishment of general assemblies. The parts of the proclamation important for Virginia were: Governors were forbidden to grant lands (at least for the present) beyond the heads or sources of any of the rivers which fall into the Atlantic Ocean from the west and northwest. There was to be no settlement beyond the Appalachians. Private purchases of land from the Indians were also forbidden, those that had been made in the Indian reservation were voided, and

future purchases were to be made officially, by the governor of the colony involved, for the crown alone. Indian traders were to be licensed and were to give security to observe such regulations as might be promulgated.

194. The Monongahela River, which meets the Allegheny River at Pittsburgh, Pennsylvania, and runs south from there along the Washington-Westmoreland and Greene-Fayette county boundaries and into Monongalia County, West Virginia.

195. Lancaster, Pennsylvania. The treaty held there in 1744 settled disputes between the Six Nations and Maryland and Virginia over land claims. Commissioners from these two colonies and representatives of the Six Nations, except for the Mohawks, were present. For consideration of goods and money the Indians surrendered claims to a large region in the western parts of Maryland and Virginia and were won to the support of the English in the ensuing French and Indian War.

196. Steep Rock Creek was the terminal point of the 1749 boundary line between North Carolina and Virginia, and the point where the survey was begun again in 1779. It is on the Tennessee-Virginia line a few miles west of Damascus, Virginia.

197. John Carteret, Earl of Granville (1690-1763). When in 1728 the Carolina proprietors sold their rights to the crown, making possible the transition from proprietary to royal rule, Carteret refused to sell. Although yielding governmental rights, he received a grant from the king located between $35^{\circ}34'$ and $36^{\circ}30'$, which was one-eighth of the original

propriatorship and about one-half of the royal colony of North Carolina. The estate was confiscated by North Carolina during the Revolution and the efforts of the earl's descendants to recover the property resulted in an adverse decision of the Supreme Court in 1817.

198. Steep Ridge, or the "Tennessee Ridge," is a semicircle of foothills dividing the watersheds of the Tennessee and Cumberland rivers. From west to east it passes through Stewart, Houston, Dickson, Williamson, Rutherford, Bedford, Coffee, Warren, and Van Buren counties, eventually merging on the east into the Cumberland Plateau.

199. C.O. 5/1347, ff. 66-67. ALS. Endorsed as received 17 April [1769].

200. King George III's and Queen Charlotte's daughter, Augusta Sophia (1768-1840).

201. In its resolution of 8 November 1768, the Parliament declared that it would redress every real grievance of His Majesty's American subjects and that it would give due attention to every complaint that the Americans should make in a regular manner and not founded upon claims and pretensions inconsistent with the British constitution.

202. C.O. 5/1346, ff. 86-87. Letter no. 17 is Lord Hillsborough's letter to Botetourt of 15 November 1768, in which he writes that he has received Botetourt's letter from the Rippon; that he is enclosing the king's speech of 8 November at the opening of the parliamentary session, together with addresses to the king from both houses, showing their

resolution to preserve the authority of the legislature of Great Britain over every part of the empire; and that the queen has been delivered of a new princess.

203. C.O. 5/1347, ff. 70-71. ALS. Endorsed as received 29 May [1769].

204. Hillsborough's letter no. 18 of 10 December 1768 is found in C.O. 5/1346, ff. 101-102; letter no. 19 of 4 January 1769 is found in C.O. 5/1347, ff. 28-29. In the first, Hillsborough writes that he has received Botetourt's letter marked no. 1; that His Majesty wishes Botetourt to commend John Blair for his conduct as deputy auditor general and assure him that he would have not been so soon removed from his office as interim president if he had not transmitted some very extraordinary resolutions of the Virginia legislature in his letter of 18 May 1768; and that a chief governor had been appointed to reside constantly within the colony in order to restore some measure of order and dignity to its government. In the second letter Hillsborough acknowledges that he has received Botetourt's letters nos. 2, 3, 4, and 5; that the king approves the spirit of gratitude and affection demonstrated by the addresses to Botetourt upon his arrival; he agrees that postponing the meeting of the assembly until next May seems judicious; and sends him the order in council that Mr. Pownal thought he had sent earlier but which Botetourt could not find.

205. Letter no. 18, as discussed above, instructed Botetourt to express His Majesty's approval of Blair's

administration of this office.

206. This is Blair's letter of 18 May 1768, found in C.O. 5/1346, ff. 25-26, enclosing a petition to the king (ff. 27-28), a memorial to the House of Lords (ff. 29-30), and a remonstrance to the House of Commons (ff. 31-33). These documents were sent to protest the Townshend duties and the Mutiny Act as being as subversive of the constitutional principles of liberty and freedom as was the Stamp Act. The Virginia assembly protested the duties as examples of taxation without representation and stated that the Parliament might make laws regulating trade, but not for the purpose of taxation. These papers may be found printed in JHB 1766-1769, 165-171.

207. C.O. 5/1347, ff. 83-84. ALS. Endorsed as received 3 July [1769].

208. Ibid., ff. 56-57. No. 20 is Hillsborough's letter of 1 March 1769, in which he states that Sir William Johnson has exceeded his instructions, but that he has made Stuart's proceedings impractical. Hillsborough has written to Stuart, therefore, telling him to suspend all further proceedings until the matter be reconsidered in England.

209. Ibid., ff. 85-86. A copy may be found JHB 1766-1769, 188-189.

210. In his letter no. 18 Hillsborough points out that John Blair was replaced as acting governor and Botetourt sent to reside constantly within the colony (earlier governors had often remained in England) because the king hoped that this

would restore "Dignity and Influence" to government in Virginia.

211. C.O. 5/1347, ff. 87-88.

212. Ibid., ff. 89-90. ALS. Endorsed as received 3 July [1769].

213. Ibid., f. 111. A printed copy may be found in JHB 1766-1769, 199-200, 202-203.

214. C.O. 5/1347, ff. 91-92. ALS. Endorsed as received 4 July [1769].

215. In 1767 an autonomous Board of Customs Commissioners was created by Parliament and established in Boston. The commissioners were given jurisdiction from Davis Strait in the north to Florida Strait in the south, and also the Bahamas and Bermuda. The board consisted of five clerks, a solicitor, a cashier and paymaster, a comptroller, an inspector of imports, and exports, and two roving inspector generals who were used as the board saw fit.

216. Writs of assistance were general search warrants issued to the customs officers by the superior courts of the various colonies. They were first used in Massachusetts in 1751. The Townshend Revenue Act of 1767 authorized writs of assistance, but did not specify any form. A form was prepared by the customs officers similar to that used by Massachusetts. Every customs officer in America was sent a copy of the desired writ and directed to request that the attorney general of his colony secure such writs from the superior court. This action made writs of assistance an issue in the superior court of every province in America. The form of the writ was novel

to the judges and seemed to encroach upon important rights of citizens. The term "writ of assistance" as used in the law was a common legal expression used to designate a search warrant. It was difficult to convince the colonists that such words meant general search warrants. There was a delay in most of the courts and the issue dragged through 1768 to 1772, resulting in a direct refusal by the courts of Connecticut, Rhode Island, New York, New Jersey, Pennsylvania, Maryland, Virginia, and North Carolina to issue them, although the judges offered to issue writs of assistance in particular cases, "as directed by law."

217. C.O. 5/1347, ff. 93-94.

218. John Earnshaw, collector of customs in the upper district of the James River. Earnshaw had become collector by April 1768, when he notified the College of William and Mary that there appeared to be considerable arrears due the college by the late collectors of the duties on tobacco for the upper district of James River. (By its charter the college received one penny per pound on all tobacco exported.) £500 was due. The college officials were so delighted that in January 1769 they decided to recommend to the governor that Earnshaw should succeed James Cocke as collector of the duties on skins and furs in the upper district of the James (part of which the college also received). Records show that Earnshaw was still collector in 1776.

The collectors were appointed by the commissioners of the customs under the authority of the Lords of the Treasury.

There were six districts in Virginia, corresponding to the districts headed by the naval officers. These two offices had at first been one, but were separated by 1699. The districts were near the larger rivers and Chesapeake Bay. The collectors received certain import and export duties, such as the two shillings per hogshead on exported tobacco and the one penny per pound on tobacco shipped from Virginia to any other American colony. They received £40 to £100 a year, according to the importance of the district, 20 percent of all duties collected, and also fixed fees for entering and clearing ships.

219. John Hylton, comptroller of customs for the upper district of the James River. He was still holding his office in 1776. The office of the comptroller was instituted near the end of the colonial period. They were to cooperate with the collectors and naval officers. Their appointment was apparently an additional effort on the part of England to supervise the work of the naval officers and collectors and to prevent fraud. The fees to be collected by them were determined by the assembly. Among the duties performed was the searching of ships with the cooperation of the collectors and naval officers, on the authority of writs of assistance.

220. See Danby Pickering, ed., The Statutes at Large from Magna Charta to the End of the Seventh Parliament of Great Britain Anno 1761, vol. 27 (London: John Archdeacon, 1767), ch. 46, pp. 505-512.

221. See Great Britain, Record Commission, Statutes of the

Realm, vol. 5 (London, 1819), 14 Car. II, ch. 11, pp. 393-400.

222. Under the Norman and Angevin kings of England an office or department of state managed by the treasurer, the justiciary, and the other judges of the King's Court, and certain barons appointed by the king. It originated after the Norman Conquest as a financial committee of the Curia Regis. Its functions combined the collection and administration of the royal revenues with the judicial determination of all causes relating to revenue. In the subsequent development of the institution, it was gradually divided into two distinct branches, the one being charged with judicial, the other with administrative, functions. By 1830 a court of exchequer emerged as a court of appeals intermediate between the common law courts and the House of Lords.

223. Great Britain, Record Commission, Statutes of the Realm, vol. 7 (London, 1820) 7 & 8 Gul. III, ch. 22, pp. 103-107.

224. C.O. 5/1347, ff. 109-110.

225. Great Britain, Record Commission, Statutes of the Realm, vol. 5, 14 Car. II, ch. 11, sec. 32, p. 400.

226. C.O. 5/1347, ff. 112-113. Endorsed as received 3 July [1769].

227. It was Pennsylvania that offered the greatest attractions to the Presbyterian immigrants to America. Thousands settled in the unoccupied regions east of the Blue Ridge, and from there the tide of emigrants flowed southward into Maryland, Virginia, and North Carolina. In 1738 an agreement was entered into by the Presbyterian synod of

Philadelphia and Governor Gooch of Virginia, according to which Presbyterian emigrants were allowed to occupy the frontier portions of the colony and enjoy the benefits of the Act of Toleration. The result was the establishment of Presbyterian settlements not only along the eastern base of the Blue Ridge, but also in the counties of Prince Edward, Charlotte, and Campbell. The most influential body of Presbyterians took their rise in Hanover County in 1743. It is this presbytery that later became the official representative of the Presbyterians in Virginia.

228. The Act of Toleration of 1689.

229. C.O. 5/1347, ff. 95-96.

230. Ibid., ff. 74-75. ALS. Endorsed as received 29 June 1769.

231. Tuesday, 16 May 1769.

232. Actually, Botetourt enclosed a printed copy of the Virginia Gazette (Rind, 27 July 1769) of the Association meeting held in the Raleigh Tavern the 17th and 18th of May 1769 that decided on a nonimportation agreement (C.O. 5/1347, ff. 79-80). It contains the nonimportation agreement, the names of the signers, the toasts drunk after the business was finished, the resolutions of the assembly of Tuesday, 16 May 1769, and the governor's speech dissolving the assembly, which are also printed in JHB 1766-1769, xxxix-xliii, 214-215.

The events leading up to this association were as follows: On the first day of this short legislative session of ten days, the speaker acquainted the house of the receipt of a

number of letters from various colonies concerning several acts of Parliament. These were ordered to lie upon the table to be perused by the members of the House along with other letters which had been received by the committee of correspondence in the previous five years. On 16 May the burgesses passed a series of resolves protesting taxes being imposed on them without their consent (the Townshend duties) and also the removal of Massachusetts subjects to London for trial (in response to that colony's protestations of the duties and the Mutiny Act). Botetourt had been instructed to dissolve the assembly if, by any such resolves, they brought into question the authority of Parliament and the king. On 17 May he so dissolved the assembly.

233. C.O. 5/1347, f. 76. Printed in JHB 1766-1769, 215-216.

234. The House is here protesting the actions of the administration in London, who, in order to reprimand Massachusetts for her opposition to the Townshend duties and the Mutiny Act, were transporting some of that colony's citizens to England for trial.

235. Peyton Randolph (1721-1775), was born at "Tazewell Hall," Williamsburg. He was appointed king's attorney in 1748. He represented Williamsburg in the house from 1748 to 1749, the College of William and Mary from 1752 to 1758, and Williamsburg again from 1758 to 1775. He was elected speaker after John Robinson's death in 1766 and served as such until the Revolution. From 1759 to 1767 he was on Virginia's committee of correspondence, in 1773 he was chairman of the

committee, and in 1774 and 1775 he presided over Virginia's Revolutionary conventions. In 1775 Randolph was elected president of the Continental Congress.

236. C.O. 5/1347, ff. 81-82. ALS. Endorsed as received 29 June 1769.

237. Ibid., ff. 124-125. ALS. Endorsed as received 29 August [1769].

238. Captain Robert Walker of the Randolph, who is listed in the 27 July 1769 issue of the Virginia Gazette (Purdie and Dixon) as clearing for London on 14 July 1769.

239. These are the journal of the council in assembly, 8-17 May 1769 (C.O. 5/1347, ff. 128-129), the journal of the council, 16 December 1768-20 May 1769 (ibid., ff. 130-136), and the journal of the House of Burgesses, 8-17 May 1769 (ibid., ff. 138-177). They are printed in LJC, 3: 1389-1392; EJC, 6: 308-319; and JHB 1766-1769, 187-218.

240. C.O. 5/1347, ff. 126-127. The Virginia Gazette (Purdie and Dixon) of 13 July 1769, page 2, column 2.

241. On 31 December 1768 these resolutions were entered in the journals of New York's lower house: there should be no tax except through their own representatives convened in the general assembly; the legislators asserted a lawful right to petition the king for redress of grievances; no other power, authority, or prerogative (except that of the crown exercised for prorogations and dissolutions) were allowed to annul the power and authority of the general assembly; and the legislators also asserted their right to correspond with other colonies

about anything where the rights, liberties, and interests of the colony were concerned.

The motion to concur with these resolves was first made on 12 April 1769 and postponed until 19 April; on the 26th of April the assembly again decided to postpone their decision, this time for one month, but the session was prorogued the 20th of May until the 6th of July. Several more prorogations followed and then, on 11 September 1769, the governor, Sir Henry Moore, died. Lieutenant Governor Cadwallader Colden convened the legislature on 21 November 1769. Philip Livingston did not serve in this legislature. Colden opened the session with a speech stating that there was the greatest possibility that the Townshend duties would be taken off in the ensuing session of Parliament. No doubt as a consequence of these two circumstances, Livingston's motion was not revived or considered.

242. Philip Livingston (1716-1778), born at Albany, New York, the fifth son of Philip and Catherine Livingston. He graduated from Yale in 1737 and then established himself as an importer in New York City. Livingston gave of his time and money to a wide variety of philanthropic enterprises. He was sent to the New York assembly for the first time in 1758 and attended the Stamp Act Congress as a member of the New York delegation. He was elected to the assembly for the third time in 1768 and on 27 October was chosen speaker. He was defeated in New York City in 1769. Thereupon his nephew, Peter R. Livingston, withdrew and allowed Philip to be

returned from Livingston Manor. He served in the first and second Continental Congresses and signed the Declaration of Independence.

243. C.O. 5/1372, ff. 43vo-44ro.

244. Colonel Adam Stephen (1730?-1791), who was born in Virginia. He joined the Ohio Expedition with a company in 1754, was promoted to lieutenant-colonel, and in the absence of George Washington commanded the forces at Winchester. He had charge of Virginia's frontier defense in 1763, helped bring the French and Indian War to an end, and was given command of a regiment at the outbreak of the Revolutionary War. In 1776 he was made brigadier-general, and in 1777 was promoted to major-general.

His letter is not found enclosed here, but a copy was sent with Botetourt's no. 16 and can therefore be found following that letter.

245. Hillsborough's letter no. 21 of 13 May 1769 is found in C.O. 5/1347, ff. 68-69; no. 22 was a circular letter and is untraceable (although a notation of it is made in C.O. 5/1375, f. 39vo); and no. 23 was a circular letter of 13 May 1769 found in C.O. 5/240, f. 190. Hillsborough's letter no. 10 to Stuart is found in C.O. 5/69, f. 204.

246. C.O. 5/1347, ff. 178-179. ALS. Endorsed as received 16 September [1769].

247. Ibid., ff. 180-181.

248. Fort Pitt, the site of present-day Pittsburgh, Pennsylvania.

249. Along the Greenbrier River, which is found in Greenbrier, Pocahontas, and Summers counties, West Virginia.

250. C.O. 5/1347, ff. 182-183. Found in EJC, 6: 326-327.

251. Hillsborough's letter to Botetourt of 13 May 1769, found in C.O. 5/1347, ff. 68-69.

252. Ibid., ff. 184-185. ALS. Endorsed as received 23 November: [1769].

253. Hillsborough to Botetourt, 17 July 1769, found ibid., ff. 116-118. In this letter he informs Botetourt of the opinion of the king's present administration relative to any further taxation by Parliament and of the desire to take off the Townshend duties.

254. James Nourse (1731-1784), born in Herefordshire, England. He married Sarah Fouace in 1753 in London. In 1768 he determined to emigrate for the benefit of his family. He left London on 16 March 1769 and arrived in Hampton on 10 May. In 1770 he purchased "Piedmont," a plantation near Charlestown, Virginia, now in Berkeley County, West Virginia. He was involved in several land grants, notably the establishment of the city of Bath in 1776. He represented Berkeley County in the Virginia assembly in 1778. In about 1781 Nourse moved to Annapolis, having been appointed commissioner to settle the claims of Maryland against the United States. He died in Virginia in 1784.

255. Joachim Von Fersen, somewhat of an emigma. "The Dutch Lord of Augusta and Rockingham Counties, Virginia," Virginia Magazine of History and Biography 34(1926): 69.

gives this information: The entry book of Thomas Lewis, county surveyor of Augusta County, Virginia, shows that in 1768 two entries of four hundred acres of land were made by Joachim F. Van Fersen, and that this was the "Dutch Lord." In 1769, according to Survey Book no. 1 of Augusta County, Virginia, records, a patent for one thousand acres of land was granted to Joachim F. Van Fersen, near Harrisonburg. The account book of Felix Gilbert, the merchant at Cross Roads, Rockingham County, Virginia, shows that an individual called the "Dutch Lord" was living in Augusta County, Virginia, in 1774 and in the general vicinity of Harrisonburg, Virginia. The court order book of Rockingham County, Virginia, for the period 1785-1786 shows that the heirs of "F. Van Vaison" then lived in Wilkes County, Georgia. Felix Gilbert was his executor and Van Vaison was called the "Dutch Lord" in the court order.

Other information is somewhat more peculiar. In the Virginia Gazette (Furdie and Dixon) of 7 October 1773, page 2, column 2, there is a notice stating: "I intend to leave the colony very soon. Von Ferson." In November of the same year, however, Von Fersen was writing to Lord Dunmore, calling himself Ehrenreich Joachim Fridrich von Fersen, Count of Altenlandsberg; he informed Dunmore that he had to go to London and asked Dunmore to procure an English man-of-war for him (F.R.O. 30/8/91, f. 67). Dunmore replied that he could not help, since he had no control over naval matters (9 November 1773) (ibid., f. 61). Von Fersen wrote the next day to the king of Prussia, admitting that he had lied in making

himself out as Count of Altenlandsberg to Dunmore and asking to be made the king's head forester until he was made Count of Altenlandsberg (ibid., ff. 63-66). And on 11 November 1773 he wrote to Lord Chatham, asking him to deliver a letter to the Prussian ambassador. This letter enclosed the one to the Prussian king and is signed "von Fersen, formerly Staff Captain in the Prussian Mounted Chasseurs" (ibid., ff. 68ro).

256. C.O. 5/1348, ff. 3-4. ALS. Endorsed as received 8 January 1770.

257. The White Mingo, a Pennsylvania Seneca influential in the Ohio valley.

258. C.O. 5/1348, ff. 5-6.

259. In southwestern Pennsylvania near Brownsville in Fayette County. Red Stone Creek meets the Monongohela at this city.

260. Charles Edmonstone, a captain in the 18th Regiment of Foot, the Royal Irish. His commission as captain dated 27 May 1758. He was promoted steadily. From 1768 until 1772, for example, he was lieutenant-colonel of the 18th. He is alluded to as a major in 1772, when orders came from Gage to abandon Fort Pitt, orders which Edmonstone carried out. It was sold on 12 October to William Thompson and Alexander Ross for £50 New York currency.

261. This notation is pencilled in the margin here: "He means the Pennsylvanians, who by Act of Assembly made it felony to settle over the Mountains and sent Commissioners to warn the People off."

262. C.O. 5/1348, ff. 7-8. ALS. Endorsed as received
8 January 1770.

263. Probably Capel Hanbury, who is known to have died by
1774.

264. C.O. 5/1348, ff. 9-11.

265. Probably Colonel George Wilson, who lived on a branch
of the Cowpasture River in the present county of Bath, Virginia.
He was one of the militia captains in the French and Indian
War for Augusta County.

266. C.O. 5/ 1348, ff. 12-13. LS.

267. One of the men who had slain Indians on the frontier;
he was imprisoned by Colonel Stephen and soon after rescued
by the Black Boys, a group of men seemingly bent on stirring
up the Indians on the frontier.

268. C.O. 5/1348, ff. 14-15. LS.

269. Ibid., f. 16.

270. According to EJC, 6: 328, John Ryan lived on the
Greenbrier River and was responsible for killing two Indians.

271. C.O. 5/1347, ff. 186-187. ALS. Endorsed as received
26 December [1769].

272. Ibid., ff. 188-189. Copies may be found in JHB 1766-
1769, 226-227. See brackets on copy, presumably placed on
the letter by the reader in England. These are the passages
objected to by Hillsborough in his letter no. 29 to Botetourt.

273. C.O. 5/1347, ff. 190-191. ALS. Endorsed as received
26 December [1769].

274. Ibid., ff. 192-194. See brackets on copy.

275. Ibid., ff. 195-198. A copy may be found in JHB 1766-1769, 233-234, 236. See brackets on copy.

276. C.O. 5/1348, ff. 17-18. ALS. Endorsed as received 8 January 1770.

277. Ibid., ff. 19-20.

278. Ibid., ff. 25-26. ALS. Endorsed as received 25 January 1770.

279. The colonists never succeeded in establishing a satisfactory coin currency. Spanish coins, the chief currency, were inadequate. The scarcity was most acute in small change, the colonists being forced to barter with such commodities as tobacco and sugar. The efforts of the colonists to obtain coin from England and to find relief in such substitutes as wampum and beaver skins testify to the need, as do their determined efforts to set up mints in the face of a policy of suppression by England. Virginia, Maryland, and New York passed futile statutes for the establishment of mints. Only Massachusetts succeeded. The colonists, however, clung to the British system, maintaining an imaginary standard of value and accounts in pounds, shillings, and pence. Each colony set its own legal value for current coin, and gradually there were established nominal and arbitrary valuations for Spanish coins, giving rise to an extraordinary confusion of values that was not relieved by futile prohibitions by Parliament.

280. C.O. 5/1348, ff. 27-28. A copy may be found in JHB 1766-1769, 261.

281. C.O. 5/1348, ff. 29-30. A copy may be found in JHB

1766-1769, 274.

282. Benjamin Harrison of Charles City County, Seven Eyre of Northampton County, and Richard Bland of Prince George County. Benjamin Harrison (1726-1791) was born at Berkeley on the James River in Charles City County in 1726. He represented the county in the House of Burgesses from 1749 to 1775 and was a member of the Continental Congresses held from 1774 to 1777. He signed the Declaration of Independence. From 1778 to 1781 he was the Speaker of the Virginia House of Delegates. From 1781 to 1784 he was governor of the state. He then returned to the assembly, was reelected Speaker in 1785, and opposed ratification of the constitution. He died in 1791. His son, William Henry, was ninth president of the United States.

Severn Eyre was probably a son of Littleton Eyre, who served as burgess from Northampton county from 1742 to 1761. Severn was elected a burgess for the assemblies of 1766-1768, 1769, 1769-1771, and 1772-1774, but died in 1773.

Richard Bland (1710-1776), who was born in Williamsburg. He was the son of Richard Bland of "Jordan's Point," Prince George County. He was a member of the House of Burgesses from 1742 to 1775. From 1748 on he was one of its leading members. In 1773 he was appointed one of the committee of correspondence, and 1774 to the first Continental Congress. He was made a member of the Virginia committee of safety in 1775, and in 1776 he was a member of the state convention that declared independence and adopted the first state constitution.

283. George Wythe (1726-1806), born in Elizabeth City County, Virginia. He studied law, settled in Williamsburg, and was made attorney-general of the colony by Governor Dinwiddie in 1754 in the absence of Peyton Randolph. From 1754 to 1756 he was burgess for Williamsburg, from 1758 to 1761 for the College of William and Mary, and from 1761 to 1769 for Elizabeth City County. He was clerk of the House of Burgesses from 1769 to 1775. He was appointed a member of the Continental Congress in 1775. In 1777 he was Speaker of the Virginia House of Delegates, in 1779 he was appointed the first professor of law at William and Mary, in 1787 he represented Virginia at the Philadelphia convention, and in 1788 he was vice president of the Virginia state convention that ratified the constitution. In 1789 he was appointed sole chancellor of the state. He died in 1806, from the effects of poison.

284. C.O. 5/1348, ff. 31-32. ALS. Endorsed as received 27 January 1770. The letter is marked "Duplicate."

285. Presley Thornton (1721-1769), son of Colonel Anthony Thornton. He was born in 1721 and at an early age elected to the House of Burgesses for Northumberland County, serving continuously from 1748 to 1760. In 1760 he was appointed to the council. He died on 8 December 1769.

286. Dudley Digges (1718-1790), the third son of Colonel Cole Digges. He was educated at the College of William and Mary, practiced law, and was a member of all the Revolutionary conventions, of the committee of correspondence in 1773, and

of the committee of safety in 1775. During the Revolution he was state examiner of claims and for many years after a member of the board of the Eastern State Hospital, a mental institution, of which he was president at the time of his death in Williamsburg in 1790.

287. Lewis Burwell, of "Kingsmill," son of Lewis Burwell, and grandson of Major Lewis Burwell of Carter's Creek. He was a member of the House of Burgesses for James City County from 1758 to 1775 and died in 1784.

288. C.O. 5/1348, ff. 33-34. ALS. Endorsed as received 27 January 1770.

289. Ibid., ff. 35-36. A copy may be found in EJC, 6: 335-336.

290. From the very first charter of 1606 the council of Virginia had been given judicial powers. Their right to sit as judges of the general court was granted in the charter of 1618. In the October 1705 session of the legislature this right was made law in "An act for establishing the General Court, and for regulating and settling the proceedings therein" (Hening, ed., Statutes at Large, 3: 287-302). This law stated that the court was to be composed of the governor and the council, any five of which were to be a quorum. In the October 1748 assembly this legalization was repeated (ibid., 5: 467-488), but the act was repealed by the king in Robert Dinwiddie's proclamation of 8 April 1752. The act most likely referred to here was the one passed by the November 1753 assembly entitled "An Act for reducing the several laws made for

establishing the General Court, and for regulating and settling the proceedings therein, into one act of Assembly," which again stated that the court was to be composed of the governor and the council (ibid., 6: 324-350).

291. C.O. 5/1348, ff. 37-38. A copy may be found in JHB 1766-1769, 318-319, 323.

292. C.O. 5/1348, f. 39. A copy may be found in JHB 1766-1769, 334-336.

293. Holston River in Scott, Washington, and Smyth counties, Virginia, and Hawkins, Grainger-Jefferson, and Knoxville counties in Tennessee. It intersects the Tennessee-Virginia border about five miles northwest of Kingsport, Sullivan County, Tennessee.

294. Part of the Allegheny Mountains, found mainly in Fayette, Somerset, and Westmoreland counties, Pennsylvania.

295. Not enclosed by Botetourt.

296. C.O. 5/1348, ff. 40-41. A printed copy may be found in JHB 1766-1769, 328.

297. The "Staple Act" of 1663 prohibited the importation into the colonies of any European commodities that had not been laden and shipped in England. Certain exceptions were made, when the prohibition would have been obviously detrimental to the welfare of the colonies and to England. Thus, salt for Newfoundland and New England fisheries was exempted, in order not to hamper in any way these industries in their competition with England's foreign rivals for the markets of southern Europe. The southern colonies wanted the same exemption ..

and argued that Portuguese salt was better adapted to preserving provisions than that of England or of the West Indies.

Parliament refused to grant the request, probably fearing that it would lead to the direct importation of other European goods by the colonists.

298. C.O. 5/1348, ff. 42-43. It is endorsed as "Printed in England upon a late Application of the same sort."

299. Maio, in the Cape Verde Islands off the coast of Africa (Senegal).

300. Isla la Tortuga, off the coast of Venezuela, northeast of Caracas. It lies among the Lesser Antilles Islands.

301. Turks Island, in the Bahama Islands.

302. Great Britain, Record Commission, Statutes of the Realm, vol. 5, 449-452.

303. St. Ubes, Portugal, also known as Setúbal. It is south of Lisbon near Setúbal Bay.

304. Thomas Lowndes (1692-1748), born in Cheshire, England. In 1725 he received a patent from the Lords Proprietors of South Carolina as provost-marshal. He had several schemes he was perpetually trying to get Parliament to adopt: the sending of refugees from the German Palatine to South Carolina; the manufacture of potash in South Carolina; the extraction of oil from sesame; the incorporation of North Carolina with Virginia; and the prevention of the running of wool from Ireland to France. One of his last projects was the supplying of the navy with salt. His method of making salt from brine was highly praised by the Royal College of Physicians, but rejected

by the Admiralty. He left all his property to found a chair of astronomy at Cambridge.

305. A character in the play The Alchemist by Ben Jonson, first acted in 1610 and printed in 1612. Love-wit, during an epidemic of the plague, leaves his house in London in charge of his servant, Face. The latter, with Subtle, the alchemist, and Dol Common, his consort, use the house as a place for deluding and cheating gullible people by holding out to them promise of the philosophers' stone. The unexpected return of Love-wit puts them to sudden flight.

306. C.O. 5/1348, f. 44. A printed copy may be found in JHB 1766-1769, 334, 341.

307. C.O. 5/1348, ff. 45-46. LS.

308. Ibid., ff. 47-48.

309. Thomas Bradshaw (1733-1774), secretary to the treasury. In 1770 he received a patent in reversion for the general auditorship of the plantations for his life and the life of his two sons, but he died before Robert Cholmondeley, the current auditor general, and the extinction of the office deprived his sons of their expected emoluments.

310. C.O. 5/1333, ff. 14-14A. ALS.

311. Not enclosed here. They are probably the following: The journal of the House of Burgesses for 7 November-21 December 1769 (C.O. 5/1346, ff. 147-227); the journal of the council for 14 June-21 December 1769 (C.O. 5/1440, ff. 5-17, 32); and the journal of the council in assembly, 7 November-21 December 1769 (C.O. 5/1440, ff. 157-174). The first is printed in

JHB 1766-1769, 225-355; the second in EJC, 6: 319-339; and the third in LJC, 3: 1395-1408. There were forty-one acts and six resolves passed in the session. See C.O. 5/1403, ff. 11-59; JHB 1766-1769, 353-355; and Hening, ed., Statutes at Large, 8: 326-354, 388-400, 403-416, 435-444, 490-491.

312. Robert Carter Nicholas (1715-1780), born in Hanover County, Virginia. From 1756 to 1776 he was a member of the assembly for York County and from 1776 to 1779 a member of the Virginia House of Delegates. He was treasurer of the colony from 1766 to 1777, succeeding John Robinson. In 1773 he was a member of the committee of correspondence. He was a member of all the Revolutionary conventions and, upon the resignation of Peyton Randolph, president pro tem of that of July 1775. In 1778 he was appointed chancellor of the state. His letters are not found here, but duplicates were enclosed in Botetourt's letter of 22 February 1770 and may be found there.

313. Not enclosed here. They were printed in 1769 by W. Rind, A. Purdie, and J. Dixon as The Acts of Assembly, Now in Force in the Colony of Virginia, with an exact table of the whole. They were published by order of the general assembly. See Charles Evans, American Bibliography, vol. 4 (New York: Peter Smith, 1941), 209, no. 11511.

314. C.O. 5/1348, ff. 53-54. ALS. Endorsed as received 9 March [1770]. Marked "Duplicate," "original not received."

315. John Blair, Jr. (1732-1800), son of John Blair, president of the council, was mayor for 1769-1770. The other officials are unknown. Blair was a patriot, a delegate to the

constitutional convention, and an associate justice of the United States Supreme Court from 1789 to 1796.

316. John Williams, who had been first ordered to America by the English administration to secure funds from the effects of John Scott and Company for the discharge of a debt to the crown on protested bills of exchange. He claimed to have carried on the work at his own expense and is said to have been appointed inspector general of customs in North America in 1767 as a reward.

317. The captains of ships at this time had to anchor in the James River about a mile from shore at Burwell's Ferry, then go ashore and travel about five miles cross country to Williamsburg to make their entries at the custom house there. They then proceeded about fifty-five miles up the river to Bermuda Hundred where they unloaded their cargoes into smaller craft without any inspection or control. After reloading they came down the river, anchored again, and went overland to the custom house to clear.

318. C.O. 5/1348, ff. 55-56. ALS. Marked "Duplicate."

319. Augustus Henry Fitzroy, third Duke of Grafton (1735-1811). Grafton became secretary of state for the Northern Department in 1765. He resigned in 1766 and then headed the treasury. From 1767 he was forced to take more and more responsibility in the ministry due to Pitt's ill health and it was then known by his name. He resigned in 1770. In 1771 he took office as privy seal in Lord North's administration. He resigned in 1775. In 1782 he again joined the cabinet as

lord privy seal in the Rockingham ministry. This administration fell in 1783 and from that time on Grafton remained out of office.

320. C.O. 5/1348, ff. 57-59. Also endorsed as "Duplicate."

321. Great Britain, Record Commission, Statutes of the Realm, vol. 5, 14 Car. II, ch. 11, pp. 393-400.

322. C.O. 5/1348, ff. 61-62. ALS. Endorsed as received 26 March [1770].

323. David Ferguson, captain of the snow Betty or Betsey, was tried for the murder of his Negro boy servant in Williamsburg in early 1770. The 17 April 1770 issue of the Virginia Gazette (Rind) lists Ferguson as acquitted of the murder of the boy, but remanded back to prison for further trial by a commission from the Board of Admiralty of Great Britain for the murder of three white men, part of his crew upon the high seas. In England the king's attorney-general had ruled that if Ferguson were acquitted in Virginia, he should be returned to England for the murder of the three mariners. He was accordingly sent to England in the custody of a Captain Lilly. In London he was examined by the Lord Mayor, who committed him to prison to await trial before the next session of the admiralty court. Although he had been acquitted in Virginia of his slave's death, he seems to have been placed in double jeopardy by being tried again and convicted for the murder of the cabin boy. In early 1771 he was executed for murder upon the gallows at Execution Dock in London.

324. C.O. 5/1348, ff. 63-64. Endorsed as received 26

March [1770].

325. See Great Britain, Record Commission, Statutes of the Realm, vol. 3 (London, 1817), p. 671.

326. C.O. 5/1348, ff. 69-70. ALS. Endorsed as received 2 April [1770].

327. Ibid., f. 70vo. This was printed in the Virginia Gazette (Rind), 25 January 1770 and 8 February 1770. Another copy may be found in EJC, 6: 704-707. It is a proclamation to the sheriffs of the counties of Virginia, instructing those who have neglected to settle their quitrent accounts with the auditor or to pay and discharge their balances to the receiver general to do so immediately. The sheriffs are to do so by the end of March or be prosecuted by the attorney general.

328. C.O. 5/1348, ff. 73-74. ALS. Endorsed as received 8 April [1770].

329. Guy Carleton, first Lord Dorchester (1724-1808). He was appointed lieutenant governor of Quebec in 1766. In 1767 the government of the colony devolved upon him in consequence of General Murray's having to return to England. In 1770 he himself returned to England, but in 1775 he was appointed governor of Quebec. He left the Quebec post in 1778. In 1782 he was appointed to succeed Sir Henry Clinton as commander-in-chief in America. From 1786 to 1791 and from 1793 to 1796 he was again governor of Quebec. He retired in 1796.

330. Sir William Draper (1721-1787), born in Bristol, England, and active in the British army, becoming a lieutenant-general. He traveled in America, arriving at Charleston,

South Carolina, in January 1770. In 1779 he was appointed lieutenant governor of Minorca. In 1782 he returned to England and died there.

331. Not enclosed here. The naval officers returns for the years 1766-1770 are found in C.O. 5/1450.

332. C.O. 5/1348, ff. 75-76.

333. C.O. 324/40, pp. 163-168. This was an additional instruction dated at St. James's on 9 December 1761 and addressed to Sir Jeffrey Amherst, captain general and governor in chief of Virginia, and to the governors of Nova Scotia, North Carolina, South Carolina, New York, New Hampshire, and Georgia, strictly forbidding each of them to grant to any person whatsoever any land within or adjacent to Indian territory or land owned or occupied by Indians, and requiring the governors to publish a proclamation ordering settlers who had squatted on Indian land to evacuate and to prosecute any persons who claimed to have bought Indian land without proper license or to have obtained land by fraud.

334. See note 182 above.

335. Stuart is referring to the Cherokee settlements found along the Little Tennessee River.

336. An unusual mistake by Stuart. Chuola was in northern Alabama, below the southern boundary of North Carolina. The Chickasaws were an important Muskogean tribe, closely related to the Choctaws, although the two were hostile. Their earliest habitat was in northern Mississippi and in the 1760s they claimed much of the area north of the Tennessee to the ridge

between the Duck and Cumberland rivers and south to the Chickasaw Old Fields on the Tennessee.

337. Choctaws, an important tribe of the Muskogean, formerly occupying middle and southern Mississippi, their territory extending in their most flourishing days for some distance east of the Tombigbee River, probably as far as Dallas County, Georgia.

338. Ouconnostotah (Oconostota), a Cherokee war chief. See note 49.

339. General Thomas Gage (1721-1787), second son of Thomas Gage, first Viscount Gage in the peerage of Ireland. He was lieutenant-colonel of the regiment that went to America in 1751 under Edward Braddock. He served in the French and Indian War and was governor of Montreal from 1759 to 1760. He became major-general in 1761 and in 1763 was appointed to act as commander-in-chief in North America. He went to England in 1772, but in 1774 returned to America as governor-in-chief and captain-general of Massachusetts. He was appointed commander-in-chief in North America in 1775, but later in that year resigned and sailed to England. In 1782 he was made a full general.

The military commander was allowed to instruct the Indian superintendents. They presented him with the heavy bills needed to control the Indians (especially for the Indian trade); when the commander honored them, it was in the hope that the treasury department in England would back him up; otherwise he was personally responsible for them.

340. These were not enclosed by Botetourt to Hillsborough, but were presumably the Proclamation of 1763 and the letter from Hillsborough to Stuart of 15 April 1768.

341. C.O. 5/1348, ff. 77-78. ALS.

342. New York merchant firm. Lawrence Read served as Stuart's agent.

343. C.O. 5/1348, ff. 79-80.

344. Attakullakulla (the Little Carpenter) was a noted Cherokee chief born about 1700. He was made second in authority under Oconnostotah in 1738. He rescued John Stuart from the Cherokee in 1760. He took the American side during the Revolution, even though Stuart and most of the Cherokee took that of the English. He died about 1780.

345. Outacity (or Otacite, Otassite, Outassatah, Wootassite, Wrosetasatow), a prominent Overhill Cherokee chief, also known as Judd's Friend or Usteneka. See note 188.

346. Willanawa, headman of Toquo and brother or cousin of Attakullakulla.

347. Shalleloski of Stecoe, an Overhill Cherokee chief and brother of Judd's Friend.

348. John Watts, a Cherokee trader used as an interpreter by Stuart. He was the father of a half-breed of the same name who became prominent in the councils of the Cherokee nation. He died in 1770.

349. C.O. 5/1348, ff. 81-82.

350. The 31 October 1769 journals of the council report that Botetourt communicated a letter that day from Colonel

Adam Stephen, dated at Winchester 22 October, and stating that one white, and a convict servant of Captain Crawford, who had sometime before killed an Indian named Stephen, had been apprehended and committed to jail in Winchester, and had been since rescued. Abraham Fry, at the head of about seventy men, with three of his brothers, Jacob, Joseph, and Benjamin Fry, and one Joseph Black were the most active in the rescue. (EJC, 6: 331.)

According to the journals of 20 February 1770, Botetourt communicated to England information he had received of the murder of Indian Stephen, lately committed on the frontiers by one John Ingham, otherwise called Ingman, who was now in the public gaol in Williamsburg. He also communicated a letter from Adam Stephen, stating that the said Indian was killed on Irishman's Run, but by Stephen's manner of describing the place, Botetourt was in doubt whether it was within the limits of Virginia (*ibid.*, 340-341). (It was decided to be in Pennsylvania, and in March 1770 Ingham was sent to that colony for trial.)

351. Not further identified.

352. The men who were stirring up the Indians on the frontier and rescuing any of their fellows who were apprehended for murdering Indians.

353. C.O. 5/1348, ff. 83-84. Endorsed as received 7 April [1770] in a box with acts, etc.

354. The Virginia Company by its charter of 1606 was granted the right of imposing duties on such items as provisions, arms,

ammunition, and clothing. In 1661 a duty on rum had been imposed, but it was repealed a year later (Hening, ed., Statutes at Large, 2: 128, 212-213). In 1684 a duty of 3 pence on imported liquors was levied to lessen the poll tax (*ibid.*, 3: 23-24). The act was continued and modified and used for many purposes--to rebuild the Capitol after it burned, to help support the College of William and Mary, to build a house for the governor, to fortify the frontier, and to pay the expenses of government. The act referred to in the letter was passed in November 1769 (*ibid.*, 8: 335-336).

355. The act here referred to was passed in the thirty-second year of George II (1759) and may be found *ibid.*, 7: 265-273.

356. *Ibid.*, 8: 342-348. The act was passed to help raise the needed £2500 for the new Indian boundary line.

357. The act passed in 1754 was entitled "An Act for the encouragement and protection of the settlers upon the waters of the Mississippi." One of the methods of raising money provided for in the act was a 5 percent duty on imported slaves (*ibid.*, 6: 417-420.)

358. In 1633 a duty of sixty-four pounds of tobacco was laid upon all newcomers to Virginia who planted tobacco within their first year of arrival (*ibid.*, 1: 222). In 1699 a duty of fifteen shillings upon every imported white servant and twenty shillings upon every imported Negro was imposed (*ibid.*, 3: 193-195). In 1732 an act was passed levying a five pounds percent duty on all imported slaves (*ibid.*, 4: 317-322). This

act was amended and continued over the years and in 1769 (as the act Nicholas is referring to), it was continued until 1773 (*ibid.*, 8: 336-337).

359. C.O. 5/1348, ff. 85-86. Endorsed as received 7 April [1770] in a box with acts etc.

360. When first imported, Negroes had been held as personal property as a matter of course, no laws having been enacted on the subject. In 1705 this was all changed and they were with certain exceptions declared to be real estate (Hening, ed., Statutes at Large, 3: 333-335). In 1748 an act was passed repealing the law making slaves real estate and declaring that they were thereafter to be considered as personal property (*ibid.*, 5: 432-443). The king disallowed this act in 1751.

361. Thomas Lee (1693-1750), born in Westmoreland County, Virginia. He was long a member of the House of Burgesses and the council, and when John Robinson died in 1749 he became by seniority president of the council and as such acting governor until his own death in 1750. He met with the Six Nations at Lancaster, Pennsylvania, in 1744. He was also a leading organizer of the Ohio land company, which received a grant of five hundred thousand acres of land from the king, between the Ohio and Kanawha rivers.

362. Hening, ed., Statutes at Large, 8: 337-338. The act imposed a 10 percent duty on imported slaves to defray the contingent charges of government.

363. Edward Montague, agent for Virginia in England. At the February 1759 session of the general assembly, Montague, of the Middle Temple, was appointed that body's agent in

England. He was instructed from time to time by a committee of correspondence, constituted by an act of assembly (*ibid.*, 7: 276-277) and composed of four councillors and eight burgesses, including the speaker. This was the first time the legislature had had its own agent, the governor and council having had one regularly since 1680. The agent was to support before the English government any laws passed in Virginia in regard to which there might be a question of approval and was generally to represent the interests of the colony in England. Montague served until February 1772, cooperating with the governor and council's agent, James Abercromby, who had been serving since 1753.

364. C.O. 5/1348, ff. 89-90. ALS. Endorsed as received 23 April [1770].

365. C.O. 5/1347, ff. 199-200.

366. The king was so pleased with Attorney General Randolph's behavior that he was sending a warrant for adding £200 per annum to his salary.

367. Governor John Penn of Pennsylvania. See above, note 120.

368. Thomas Willing. This is no doubt the prominent citizen of Philadelphia of the time. He was born in 1731 and was a banker by trade, although this profession did not preclude an active public life. In 1757 he was elected to the common council of Philadelphia; in 1758 he was appointed one of the Pennsylvania commissioners for trade with the western Indians; in 1760 he was elected trustee of what is now the University of Pennsylvania; in 1761 he was appointed judge of the orphans'

court of Philadelphia; in 1764-1767 he was a member of the provincial assembly; and in 1767 was appointed justice of the supreme court of the colony. He served as president of the first Provincial Congress of Pennsylvania in 1774, and was elected to the Second Continental Congress in 1775. In 1781 he was made president of the newly organized Bank of North America, and in 1791 of the Bank of the United States.

369. Nothing more is known of Captain Inglis than that he was master of the armed schooner, the Sultana, which cruised in Virginia waters from 1769 to 1771.

370. Captain Sir Thomas Adams, commander of the frigate the Boston. The Virginia Gazette (Purdie and Dixon) of 1 November 1770 lists Adams as recently dead and buried at Castle William.

371. C.O. 5/1348, ff. 91-92. A printed copy may be found in JHB 1766-1769, 304-305.

372. C.O. 5/1348, ff. 93-94. ALS.

373. William Crawford, possibly the man born in Berkeley County, Virginia, in 1732 and who died in Wyandot County, Ohio, on 11 June 1782, a surveyor by occupation, who served under George Washington. In 1767 he settled in western Pennsylvania, purchasing land, and later became justice of the peace. In the Revolutionary War he raised a company of Virginians and served again under Washington. He died in an expedition against the Wyandot and Delaware Indians on the Muskingum River in 1782.

374. C.O. 5/1348, ff. 95-96. ALS.

375. Ibid., ff. 97-98. ALS. Endorsed as received 4 June [1770].

376. No. 22 was a circular letter inclosing the king's speech at the close of the recent session of Parliament. It is untraced, but noted in C.O. 5/1375, f. 39vo. No. 26 was written on 17 July 1769 and can be found in C.O. 5/1347, ff. 116-118. These letters authorized Botetourt to declare the intention of the king's ministers to resist further taxation by Parliament and to take off the Townshend duties.

377. No. 29 was sent on 18 January 1770 and can be found in C.O. 5/1348, ff. 23-24. This letter rebuked Botetourt for exceeding his instructions by including Hillsborough's statements in his speech to the House of Burgesses and by doing so in the king's name.

378. Ibid., ff. 101-102. ALS. Endorsed as received 2 July [1770].

379. Frederick North (1732-1792), second Earl of Guilford, but better known as Lord North. In January of 1770 he was made first lord of the treasury. On 2 June 1759 he had been made junior lord of the treasury and on 10 December 1766 a member of the Privy Council. On 7 October 1767 he had been appointed chancellor of the exchequer and thereby leader of the House of Commons. He resigned these two posts on 20 March 1782.

380. C.O. 5/1333, ff. 38-39. This copy was used rather than the enclosure in C.O. 5/1348 because that account does not show the shillings and pence columns.

381. C.O. 5/1348, ff. 107-108. ALS. Endorsed as received 14 July [1770].

382. Ibid., f. 109. A printed copy may be found in John Fendleton Kennedy, ed., Journals of the House of Burgesses 1770-1772 (Richmond, Va.: Virginia State Library, 1906), 16-17, 34; hereafter cited as JHB 1770-1772.

383. The words "abundant Reason to repose the greatest Confidence, to use your farther good Offices" were unreadable in Botetourt's enclosure and therefore were taken from JHB 1770-1772, 17.

384. C.O. 5/1348, ff. 114-115. ALS. Marked "Duplicate," "original not received." Endorsed as received 13 August [1770].

385. According to Hillsborough's letter to Botetourt of 14 April 1770, Major General Alexander Mackay had been pushing the appointment of Ralph Wormeley to the Virginia council, but Hillsborough had answered him that he would not make the appointment without Botetourt's recommendation. (See *ibid.*, ff. 87-88.)

386. Ralph Wormeley (1744-1806), the third of that name, of "Rosegill," Middlesex County. He was appointed to the council in 1771. He disapproved of the Revolution, but remained in America, and was a member of the convention of 1788, a sheriff in 1794 and 1795, and a member of the House of Delegates in 1787, 1789, 1790, and 1793.

387. Dudley Digges first married Martha Armistead, daughter of Colonel Henry Armistead, then, on 14 July 1760, he married Elizabeth Wormeley, sister of Ralph Wormeley.

388. Ferdinando Foole (a clerk in the treasury department)

to John Pownall, C.O. 5/1348, ff. 65-66. The letter is dated 28 March 1770 and instructs Pownall that no steps should be taken to move the custom house from Williamsburg to Bermuda Hundred until such time as the Lords Commissioners of the Treasury have been made acquainted with the reasons for such a removal.

389. William De Grey, Lord Walsingham (1719-1781) was the king's attorney general at this time. In 1758 he had been appointed King's Counsel, in 1761 he was solicitor-general to Queen Charlotte and member of Parliament for Newport, Cornwall, in 1763 he was made solicitor-general to the king, and in 1766 he was appointed attorney-general and knighted. His report to Hillsborough that Ferguson should be sent to England and tried may be found *ibid.*, ff. 71-72, and is dated 5 April 1770.

390. *Ibid.*, ff. 116-117. ALS. Marked "duplicate."

391. C.O. 5/70, f. 291. Stuart wrote that Hillsborough had informed him in a letter of 13 May that he had granted an alteration of the boundary line to run from the point where the Holston River cut across the Virginia-North Carolina boundary in a straight line to the confluence of the Ohio and Kanawha rivers, provided Virginia agreed to defray the expenses. Stuart agreed to enter into a new negotiation and estimated the expense to be about £2500.

392. In C.O. 324/42, pp. 159-162, is found the royal warrant dated at St. James's 15 January 1770, signed by Hillsborough and addressed to the governors of Virginia, South and North Carolina, Georgia, and East and West Florida,

requiring them to swear and admit John Stuart as a counsellor extraordinary of their respective councils, but without power to act in a judicial capacity or to assume the administration of a colony.

393. C.O. 5/1348, ff. 118-119. A printed copy may be found in JHB 1770-1772, 74.

394. C.O. 5/1348, ff. 120-121. A printed copy may be found in JHB 1770-1772, 86.

395. Cape Henry is some five to ten miles north of Virginia Beach, and 17 miles east of Norfolk on the south side of — Chesapeake Bay. By an act passed in February 1772 (Hening, ed., Statutes at Large, 8: 539-541), Virginia joined with Maryland in erecting such a lighthouse.

396. C.O. 5/1333, ff. 46-46A. ALS. Endorsed as received 17 August [1770] and read 14 November [1770].

397. The Lords of Trade had informed Botetourt in a letter of 16 March 1770 (C.O. 5/1336, ff. 162-163) that before they could proceed to make a report on the petition of the Virginia House of Burgesses to have the western boundary of the colony further extended beyond the limits then set by the king that they needed to be fully informed of the nature and extent of all lands beyond the Kanhawha, claimed under grants made by Virginia in consequence of the orders and encouragements given by George II.

398. C.O. 5/1348, ff. 122-123. ALS. Marked "Duplicate," and endorsed as received 13 August [1770].

399. The one rejected bill is untraced.

400. The Townshend duties.

401. C.O. 5/1348, f. 126. On 22 June 1770 an association was entered into by various members of the House of Burgesses and by a large number of merchants of Williamsburg and vicinity. Their resolutions were presented to Botetourt in the form of a petition, whose purpose was to effect the repeal of all the Townshend duties and to relieve the colonists from the hardships resulting from the unlimited jurisdiction of the vice-admiralty courts. A nonimportation agreement complete with the names of the signers followed. Peyton Randolph was the moderator. A printed copy may be found in JHB 1770-1772, pp. xxvii-xxxi.

402. Botetourt is no doubt referring here to certain members of the opposition party in England, who he felt would try to embarrass the present administration by such methods as encouraging the American colonies in their rebellious activities.

403. C.O. 5/1348, ff. 124-125. A printed copy may be found in JHB 1770-1772, 109.

404. C.O. 5/1348, ff. 131-132. ALS. Endorsed as received 21 September [1770].

405. Undentified. Possibly Robert Walker of the Randolph, since the Virginia Gazette (Purdie and Dixon) of 19 April 1770 lists the Randolph as having just arrived in April.

406. Not enclosed here. They are probably the journals of the council for 20 February 1770-21 June 1770, found in C.O. 5/1440, ff. 18-31, and printed in EJC, 6: 340-359. The journal of the council in assembly (21 May 1770-28 June 1770),

is found in C.O. 5/1440, ff. 176-196; and printed in LJC, 3: 1409-1425.

The journals of the House of Burgesses were for 21 May 1770-28 June 1770 and are found in C.O. 5/1439, ff. 41-149; and printed in JHB 1770-1772, 5-109.

The acts are found in C.O. 5/1403, ff. 63-93, and in C.O. 5/1404, ff. 9-25. They are printed in Hening, ed., Statutes at Large, 8: 305-325, 354-388, 400-402, 416-434, 445-490; and listed in JHB 1770-1772, 107-109.

407. In 1770 George III declared that, the Indian trade having reached such proportions, the colonies were to take care of regulating and managing it. Prior to that time the Indian trade had not been well regulated, and the results were unsatisfactory both to England and to the colonies.

408. On 5 March 1770 Governor Penn wrote to Botetourt, stating that New York and Pennsylvania had already appointed commissioners to meet with those of the other colonies to form and agree upon a plan for the regulation of the Indian trade and urged that Botetourt lose no time in having commissioners appointed. Botetourt replied in the same month that he would do so immediately (C.O. 5/1349, ff. 58-61). Commissioners Richard Bland and Patrick Henry were appointed (JHB 1770-1772, p. 137), but the matter of trade was soon overshadowed by the question of the extension of the western boundary, preventing a discussion of intercolonial affairs at the time.

409. C.O. 5/1333, ff. 47-47A. ALS. Endorsed as received 21 September [1770] and read 14 November [1770].

410. Ibid., ff. 48-56. A printed copy may be found in EJC, 6: 688-703.

411. C.O. 5/1348, ff. 133-134. ALS. Endorsed as received 21 September [1770].

412. Ibid., ff. 135-136.

413. Lochaber was Alexander Cameron's plantation on Penny Creek, a stream flowing into Long Canes Creek from the northwest. It contained about 2600 acres, 2000 of which were granted to Cameron in 1765 by virtue of his service in the Seven Years War.

414. A former Cherokee town on the Keowee River, near Fort Prince George, Oconee County, South Carolina.

415. Alexander Cameron was Stuart's deputy. The interpreter was either John Watts (who was killed some time in 1770) or Joseph Vann, his successor as interpreter.

416. C.O. 5/1348, ff. 137-138. ALS.

417. John Norton & Sons, an important merchant firm in London. John Norton was the son of a merchant, also named John Norton, of Putney, England, and his wife, Ann Hatley, and was born in 1719. He came to Virginia about 1740 and married Courtenay Walker. Their children were John Hatley, George Flowerdewe, Harry, Frances, and Daniel. John Norton returned to London in 1764, leaving his son John Hatley to represent him at Yorktown.

418. John Donelson, a burgess from Pittsylvania County in the assemblies of May 1769, 1769-1771, and 1772-1774. He was killed by the Indians in 1786.

419. C.O. 5/1348, ff. 143-144. ALS. Endorsed as received 1 November [1770].

420. Captain Thomas Lilly of the ship Friendship, according to Hillsborough's letter to Botetourt of 15 November 1770, acknowledging that Ferguson had been delivered (ibid., ff. 151-152).

421. Robert Akin and William Honeycomb, two of Ferguson's crew, who served as witnesses against him and were delivered to Mr. Conway, Botetourt's agent in London, by Walker's ship.

422. C.O. 5/1348, ff. 99-100, written on 12 June 1770.

423. The Grand Ohio, or Walpole Company, was organized in 1769 by Thomas Walpole, Horace Walpole, Samuel Wharton, and Benjamin Franklin. They petitioned the Lords of the Treasury for a grant of twenty million acres of what is now West Virginia and proposed to set up an independent government within the same. It was to be known as Pittsylvania (later this name was changed to Vandalia). The proposal was approved by the Board of Trade and George III, but was delayed by the solicitor-general. Resistance to the Tea Act and Franklin's fall from favor delayed it still further, and the outbreak of the Revolution ended it. The company was later reorganized in America as the Vandalia Company.

Montagu informed the Virginia committee of correspondence of the plan on 18 January 1770, and in his letter of 31 July 1770 Hillsborough forbade any further grants of land beyond the limits of the Proclamation of 1763 because of the Walpole petition (ibid., ff. 112-113).

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VITA

Dianne Jean McGaan

Born in Elgin, Illinois, 7 March 1945. Graduated from Elgin High School in June 1963, B. S., University of Wisconsin, 1967. The author entered the College of William and Mary as a graduate assistant in the Department of History in September 1967.

The author has been employed by the University of Wisconsin Press in Madison, Wisconsin, as an assistant editor since August 1968.