

CHAPTER 3- HISTORICAL RECORDS OF THE EARLY YEARS IN AMERICA

(The Eastern Branch of the Potomac River is now known as the Anacostia River.) The following articles were taken from Maryland historical Web sites:

The early settlement of the United States of America began in 1606 when King James I of England issued a charter authorizing a group of investors, known as the Virginia Company of London, to send colonists to North America. King James and the group of investors profited from the enterprise by collecting fees for passage to the colony from the settlers and the subsequent crops that the settlers produced. A council was selected by King James to operate the enterprise from England. A second council of settlers was formed to direct daily activities in the colony. The first group of one hundred and four settlers arrived in Jamestown, Virginia, on May 14, 1607 (Salmon, 1994).

As you read through the historical accounts about the early settlements of America there are a few names that you need to track. The Lord Fairfax was the nemesis of the Thompsons and apparently of the maternal ancestors as well. So you need to keep track of the Lord Fairfax and of John Van Meter/Meteren because HE was the maternal ancestor of the William Thomson descendants. And Jost Hite was related to the family via marriage. Eleanor Eltinge, the sister of John Thompson's wife Yacomintye Eltinge Thompson, married Col. Isaac Hite. This Hite couple were the ancestors of General George S. Patton. Isaac Hite's brother, John, married their sister Sarah Eltinge and their daughter Anna Marie Hite married Simeon Taylor. Both King Charles I and sons King Charles II and King James II persecuted the Thomsons in Scotland AND in England. Cromwell aided the Presbyterian Scots by allowing them the freedom to practice their own religion in their own way in Scotland. The story of the Van Meteren and Thompson family spans the Potomac River in BOTH Maryland and Virginia.

During the years 1614 to 1622 the population of the settlers grew quickly. The Virginia Company of London encouraged the colonists to produce other products like glass, silk, and iron, but the colonists kept growing tobacco. The land in the new settlement quickly became very valuable due to the popularity of tobacco in England. The Virginia Company of London subdivided the James River frontage to its stockholders, each receiving 100 acres per share. This division of land led to the formation of self-sufficient tobacco plantations. Thousands of indentured servants and slaves arrived in the colony because of the demand for labor on the plantations between the years 1614 and 1622 (Salmon, 1994). Indentured servants were asked to work for seven years to repay their passage. Free settlers were offered 50 acres of land if they traveled to Virginia at their own expense or if they paid another person's passage. To further increase the colony's population, the Virginia Company of London also provided each settler 100 acres after seven years' residence in Virginia (Salmon, 1994). Because of the population increase, the colony's area of settlement continued to grow. In 1634, the area north of the Potomac River became Maryland. In 1665, the area south of the Currituck Inlet became known as the 'Carolina' (Salmon, 1994).

HISTORY OF MARYLAND BY TIME LINES:

Time line about 1649

Forty-two years after British colonists first landed at Jamestown, the British monarch-in-exile Charles II felt it necessary to be generous. His father, King Charles I, had recently been beheaded for, among other complaints, defying parliament, and religious zealotry that included having the noses and ears cut off subjects who refused to join the Anglican Church. Now young Charles had been forced by the victorious Puritan Roundheads to take sanctuary in Scotland and then France. He would wait 11 more years for the Restoration of the Monarchy, but in the meantime he promised a large land grant in Virginia, later known as the Northern Neck Proprietary, to six noblemen friends because of their support of the Crown in those troubled times. One hundred fifty years later, people living on Terrapin Neck near Shepherds Town, Virginia, would have cause to regret this generosity.

The Northern Neck (1649 - 1719)

The British Crown took ownership of Virginia from the Virginia Company in 1624. The 'Northern Neck' refers to the peninsula formed by the land north of the Rappahannock River and south of the Potomac River. This strip of land

was to play a large role in the development of the Virginia colony, the United States and the Pearis Family.

King Charles I was beheaded on 30 January 1649 (1648 old calendar) and his son fled to France. To reward those who had stood by him aiding and abetting his escape, the son of Charles I awarded seven of them grants of land in Virginia 'bounded by and within the heads' of the Potomac and Rappahannock Rivers. The Northern Neck (which at the time was part of the counties of York and Northumberland, since 1645) was assigned to seven lords (in September 1649). Of course, these grants meant nothing unless Charles could regain the Crown of England. These seven lords were both optimistic and patient, as they had to wait for the Restoration, which occurred with the Crowning of Charles II in 1660. Meanwhile, York and Northumberland counties in the colony had been realigned as Westmoreland County (1653) along the Potomac and Lancaster County, which was south and west of the Potomac strip.

Naturally, the House of Burgesses of the colony of Virginia did not recognize the grants made by Charles II while he was in exile and they were generally not inclined to support Charles. Their roots were with the Protestants of Elizabethan England (Walter Raleigh et al.). In the meantime, Lancaster County was split into Middlesex (1669) to free it from the claim, leaving Rappahannock County (which existed from 1656 to 1692). Of course, at the time, nobody had a clue where the western boundaries of these claims were.

In 1675, Charles II appointed Lord John Culpeper, one of the land grant holders, Governor of the colony of Virginia. John Culpeper passed these lands to his son, Lord Thomas Culpeper who became the colonial Governor of Virginia (1680 - 83). Lord Thomas Culpeper started to consolidate the grants. In the process, he acquired most of the 'proprietaryships' of old Rappahannock County in a land patent of 1688 granted by the Privy Council. In 1692, Richmond County (which became King George Co. in 1721) was cut from Rappahannock leaving Essex County.

When Lord Thomas Culpeper died without a male heir, his daughter Katherine Culpeper inherited 5/6th of the land and her mother retained 1/6th. Katherine Culpeper married Thomas, Fifth Lord Fairfax, and their son Thomas, Sixth Lord Fairfax, inherited all the Culpeper claims in 1719. But, there were many in the Virginia House of Burgesses who still disputed the Fairfax (Culpeper) claims.

The Following families were instrumental in the settling of Maryland and Virginia. The following time line accounts pertain to Virginia but involve those families who lived on the other side of the river in Maryland. These are historical on line details about the John Van Meteren family and related Hite family.

One of the first white men to spend much time in western Virginia beyond the Blue Ridge was Johannes Van Meter (Jon Vanmeter, VanMeter). Van Meter. During his travels, Van Meter had seen the Shenandoah Valley and recognized its desirable habitat and local for systematic European-style settlement. Thus, in 1730, he approached Governor Gooch of Virginia and obtained a land grant for 40,000 acres on the lower (northern) Shenandoah Valley. Van Meter soon sold this grant to a German from York, Pennsylvania named Joist Hite (also Yost Hitte, etc., perhaps even Height) in 1731. In 1732, Hite brought the families of his three daughters (married to Jacob Chrisman, George Bowman/Baumann, and Paul Froman/Frohmann) and about 12 other families with him. The Hite place was about five miles south of present-day Winchester on the Opequon River. Other settlers found themselves on Cedar Creek and Crooked Creek.

Time line about 1660

Charles II returned triumphantly to England as King after the death of Oliver Cromwell. Many of his loyal followers had lost much of their property while he was in exile and responded by moving to one of the colonies across the Atlantic, but at least several were grateful for having been granted large tracts of land in the New World as partial compensation.

Time line about 1685

Joist Hite was born in Bonfeld, Germany, son of a local butcher and a member of the Protestant church (Jones et al 1979). William and Christopher Thomson were transported to America by the Col. Ninian Beall. Scotland Hundred was formed and the land grants for Charles County, Maryland were given.

Time line about 1690

*By this year deaths and marriages had transferred the bulk of the Northern Neck Proprietary in Virginia into one family of the British peerage, Lord Fairfax (who had acquired it through marriage to a Culpeper). Lord and Lady Fairfax lived on large castled estates in England; they would never see their Virginia lands. Nevertheless, Lord Fairfax did employ agents in the Virginia Colony to administer the Proprietary and to see that the local Virginia Council did not infringe on his lands between the Rappahannock and Potomac Rivers as the Council handed out their own grants in the region. The Virginia Council often ignored the Fairfax claim to the land and gave out land grants within the disputed area anyway. At this time the Virginia Colony was selling frontier lands not only to individual settler families but also to land speculators, who provided a service by surveying the land and bringing in additional settler families. **Note: This is the SAME Lord Fairfax who persecuted Henry Thompson whose descendant's DNA matched that of William Thompson descendant James Ronald Thompson.***

Time line about 1693

In Britain, the Fairfax family, who had acquired the rights to the Northern Neck Proprietary in Virginia, asked for and received confirmation of their Proprietary from the King. They apparently hoped this would resolve once and for all who held title to the land between the Rappahannock and Potomac Rivers in that wild, uncivilized colony across the Atlantic. It didn't.

Time line about 1699

A new system of land grants became available to immigrants coming into the Virginia colony, referred to as treasury rights. This allowed anyone to purchase land, 100 acres for 10 shillings. To retain ownership, an annual quit rent and occupation of the property was necessary. This replaced the old system of acquiring land by bringing in settlers, known as head rights.

Time line about 1709

Joist Hite, born in Germany, crossed the Atlantic and settled in New York with a number of other Dutch and German families, including his father and stepmother. He had married Anna Maria Mercklin 5 years before, and had worked as a linen weaver before setting sail from Rotterdam with several other local families; Anna had given birth to two children but they hadn't survived. Many history texts describe him then as a wealthy, distinguished businessman with the financial wherewithal and influence to organize and finance the journey to the New World for many families, and was supposedly even able to provide his own ships; the histories then go on to describe his inevitable continued success and prominence as a real estate entrepreneur in the New World. It would be interesting to see where this fable originated, as recent scholarship points to a more humble origin - he has been documented as crossing the Atlantic as one of a group of indentured servants who worked for a time at a failed business venture in New York. By 1714 he was apparently a landowner with a growing family living north of Philadelphia, and about three years later he owned a plantation and gristmill outside the present community of Schwenksville, Pennsylvania, a few miles north of Philadelphia, and was doing some weaving on the side (Jones et al. 1979). His later efforts at administering a large land grant in the lower Shenandoah Valley of Virginia will prove to be a major chapter in the history of the land that has now become the National Conservation Training Center.

In Britain, the Fifth Lord Fairfax died, leaving title to the bulk of the Northern Neck Proprietary in Lady Fairfax's hand, though her Culpeper family members retained a percentage of ownership as well.

Time line about 1719

Lady Fairfax died. Her 24-year-old son Thomas, 6th Lord Fairfax, became the sole Proprietor of the Northern Neck in Virginia. He owned only a 1/6 interest in the Virginia proprietary outright, the other 5/6 he held only for his lifetime. He had rather reclusive, taciturn bachelor tendencies, and often preferred to spend his time alone on his British estates rather than engage in the typical aristocratic functions of a young British peer.

Time line about 1726

John Van Meter and his family purchased a 200-acre tract from Lord Baltimore near present-day Frederick, Maryland. The Van Meters were of Dutch origin, and had been in the Dutch colonies near New York and New Jersey for several generations. All of John's children were born on land the family owned in New Jersey, but the family had moved west to Maryland by the early 1720s. John, 43, and occasionally his younger brother Isaac were itinerant traders and plantation owners in the Monocacy River valley, and they no doubt had some contact with Charles Anderson's Indian trading post there. The Van Meters were likely well acquainted with a fellow Dutch Swearingen family living nearby at the time. The Van Meters certainly became acquainted with another family living in the neighborhood - John's daughter Elizabeth would marry Thomas Shepherd in a few years, and the young couple would, with Elizabeth's parents and several of their neighbors and relatives, soon take up land on the other side of the Cohongroota River near a ford along the old wilderness trail, which the Shepherds would years later develop as 'Shepherdstown.'

Time line about 1729

Brothers John and Isaac Van Meter, explorers and traders from the Monocacy River valley in Maryland (Isaac apparently spent most of his time in New Jersey), built a cabin about 2 miles west of present-day Shepherdstown, West Virginia near where Route 45 crosses Rocky Marsh Run. They had spent some time in the last several years making contacts with authorities in Virginia about acquiring a large land grant, which included talks with Robert 'King' Carter, representing Lord Fairfax and the Northern Neck Proprietary. They no doubt agonized about who held the rightful claim, the Virginia Colony, or Lord Fairfax in Great Britain? John Van Meter became the Constable of Monocasy Hundred in Maryland in 1729, a position he would hold intermittently through 1734, suggesting that his Virginia cabin was a temporary dwelling at first. The Virginia cabin site eventually became his home in the mid-1730s and became part of a patented property of more than 1700 acres that included most of the watersheds of the spring-fed creek now known as Rocky Marsh Run. It's interesting to note that John, who could presumably pick out the most desirable property in the entire area, deliberately picked out the wettest, marshiest site around, and for years his tract was referred to as the Van Meter Marsh patent. (Homeowners now living in this area are occasionally the subject of local newspaper articles during wet years – the marshy aspect of the landscape has apparently become less useful in recent years, and some would prefer that the perennial surface water, so attractive to the Van Meters, drained a little faster to the Potomac through the now-channelized sections of creek.) Before moving full time to Virginia Van Meter lived in what was known as the Monocasy Hundred which encompassed an area extending from the mouth of the Monocacy River where it joined with the Potomac up into Pennsylvania, including the area now known as Frederick, Maryland. After writing a letter to authorities complaining of 'abuses' by the settlers in Monocasy Hundred, Constable Van Meter was given a couple of deputies, including one Joseph Mounts (Tracy and Dern 1987).

Time line about 1730

On June 17, the Van Meter brothers, after petitioning the Virginia Council for land grants for themselves, their many children and diverse relatives, were successful in acquiring a combined 40,000 acre grant from the colonial government of Virginia in the lower Shenandoah Valley. Thirty thousand acres, or 3/4 of the total, were to be located between the 'Sherando' and 'Operkin' (Shenandoah and Opequon) rivers - clearly well within the Northern Neck Proprietary also claimed by Lord Fairfax. The brothers together were required by the Council to settle themselves and 30 other families within two years to retain title to the acreage. Note that they were not given all the land between the Shenandoah and the Opequon, nor were they required to mark out a single large block of land. On the contrary, they were allowed to mark, survey and sell the best portions to themselves, their friends, and their new settler families, usually in parcels amounting to several hundred acres, until they eventually

accumulated 40,000 acres. In short they were given the sole rights to a two-year hunting license for 10,000 acres within the forks of the Shenandoah River (now the heavily wooded upland called Massanutten Mountain, part of the George Washington National Forest, and the flatter land near Front Royal), as well as 30,000 acres bounded by the Shenandoah, Potomac and Opequon rivers. This also meant, of course, that the Van Meters had to be nervous about claiming ownership to land that someone may have already been living on and was willing to defend – other occupants, if any, could decide for themselves whether to purchase a legal title for their claim from the Van Meters during this two-year period. Other potential settlers could also approach the Virginia Council to gain title after the two years were up, and they probably also had to consider dealing with Lord Fairfax's agents. John Van Meter, in his rounds as Constable of the Monocose Hundred in Maryland, no doubt informed all his friends and neighbors of his new land grant, and the wonderful land they could acquire from him across the river in Virginia. The Van Meters and the Virginia Council were fully aware that Fairfax held a claim to the land, well before the petition was heard; in fact, in later legal proceedings, Fairfax pointed out that the Van Meters had approached him first for a grant (Couper 1952). In ignoring the Fairfax claim the Virginia Council and Governor Gooch probably considered it an opportune time to try to solidify their own claim, particularly since the neighboring colonies of Maryland and Pennsylvania were expanding rapidly. As settlers pushed westward in a search for land, legal boundaries in the colonies at this time were routinely redrawn, ignored or became obsolete. In the 40 years that the Proprietary had been in Fairfax hands, the Fairfax family had never shown any inclination to travel to the colony to personally administer their claim, and it was probably fairly easy to ignore the Fairfax agents when they started to complain. True to form, Robert Carter issued a caveat for Fairfax at the time that the Van Meter petition was being considered. To keep the Fairfax claim alive, Fairfax's agent Robert Carter issued the first Fairfax grant in the Shenandoah Valley to a member of the Carter family three months later on September 22.

This claim is very important to the Thompson descendants because it is a direct tie that proves their ancestor James Fields Thompson was the son of William Thompson AND descended from John Thompson and wife Yacomintye Eltinge Thompson. The lawsuit that initiated from this 1730 land grant claim extended to William Thompson who received part of this grant as an inheritance from his father John Thompson. In a 1793 Augusta County, Virginia, court, William's son John presented a reply pertaining to this Lord Fairfax lawsuit because William was named as a defendant. William's son John declared that his father was deceased and included the names of his siblings thus naming James Thompson as William's son. The suit further specifically tied this lawsuit to William Thompson, son of John Thompson, because it included the fact that William went to live in Virginia at about the age of eight years when both his mother and father died and when he was orphaned. That was the precise time of death for John and Yacomintye Eltinge Thompson.

Time line about 1731

Joist Hite, 45 years old, having listened to the tales of the open lands in the Shenandoah Valley of Virginia, decided to sell his property near Philadelphia to a John Pawling for £540 pounds. The Van Meter's large land grant in Virginia greatly interested him, so Hite and about 16 other families packed up and headed south through the wilderness, widening the old Indian trails where necessary to make room for their heavily laden wagons. He and the Van Meters soon struck a deal (genealogical sources have described Joist as either John Van Meter's cousin or nephew), and the Van Meter brothers sold him their claim to the 40,000 acres granted them the previous year.

Time line about 1733

Lord Fairfax, still in Great Britain, petitioned the King to stop the colony from issuing grants within his proprietary, and finally conduct a survey for a legal description. This was granted. To ensure that this ruling would not be ignored, Lord Fairfax decided to deliver the text of the decree himself by visiting Virginia - that wild backwater colony across the Atlantic - for the first time. Unfortunately for the later settlers on Terrapin Neck, he didn't arrive in Virginia until two years later.

Lord Fairfax, between the years of 1736 and 1761, spent a large amount of his time in England, delegated much of his day to day affairs in Virginia to Robert Carter, who the settlers took to derisively calling 'King' Carter. Based upon the 1688 land patent, Carter claimed all the land east of the Blue Ridge and north of the Rapidan (south branch of the Rappahannock River) for Fairfax. This was about 1706 when settlers were just beginning to find

their way into the Shenandoah Valley from Pennsylvania. As a matter of fact, Carter did not necessarily stop his claims at the Blue Ridge (headwaters of the Rappahannock). He would gladly claim the Shenandoah Valley all along the western frontier. Robert 'King' Carter's plan was to settle large tobacco plantations founded by nobles from England, but this went rather slowly and was not making the Virginia House of Burgesses happy.

The western part of Essex County was split off as Spotsylvania County in 1720. To the south, settlers were starting to drift into the upper Shenandoah River valley. In 1727, Robert and William Lewis, William Lynn, Robert Brooke and Beverley Robinson petitioned the colonial Governor of Virginia to allow them to settle families on 1000-acre plots near present-day Staunton, Virginia on the head of the James River. In 1734, Spotsylvania County was partitioned to yield Orange County west of Fredericksburg and north of the southern branch of the Rappahannock (i.e., north of the Rapidan River). These were acts of the House of Burgesses, which were not under the control of Lord Fairfax or Carter.

After Carter's death, Fairfax came to Virginia in 1735 to defend his claim. Finally, in 1736 a comprehensive survey was begun supported on the one side by Governor Gooch of Virginia and on the other by Fairfax. While the surveyors worked, Fairfax returned to England to lobby with the Privy Council regardless of the outcome. Each side had their own survey teams that completed their work in 1738 and in the end they disagreed. It took eight years (until 1746) for the Lords in England to sort it out in favor of Fairfax. In the meantime, Old Frederick County (Orange County west of the Blue Ridge) was formed in 1743 and claimed by Fairfax in 1745. In 1746 a boundary was surveyed from the headwaters of the Rapidan to the headwaters of the Potomac, which encompassed more than five million acres awarded to Lord Fairfax. This area was larger than many colonies to the north. Fairfax returned to his domain in Virginia in 1747. In the meantime, the House of Burgesses had created Fairfax County in 1742.

Much of what Fairfax had received in the 1746 survey was itself poorly defined (at the time he did not know that he had more than five million acres). It lay between the Rapidan-Rappahannock and the Potomac Rivers bounded at the end by the survey line terminating at the Fairfax Stone. In other words it was the eastern panhandle of West Virginia and north western Virginia. So while residing in his cousin William's home called Belvoir (present-day Fort Belvoir), he commissioned surveyors including the young George Washington to survey his western lands. This project began in 1747 and was completed in 1748. The survey expedition gave Washington a substantial reputation. In 1749, Washington was commissioned by the College of William and Mary to survey the new Culpeper County.

Once his western lands had been surveyed, Fairfax built a hunting lodge called 'Greenway Court' west of the Blue Ridge (present-day White Post about 10 miles south east of Winchester in Clarke Co. Virginia). The principal sport hunting was fox although a variety of other game was present. This site is on the Manor of Leeds (about 120,000 acres on the Blue Ridge between Chester Gap and Ashby Gap), which is still known for its horses and fox hunts. Greenway Court was expanded to a stone house where Lord Fairfax settled permanently in 1761. Lord Fairfax leased large tracks of this land on a perpetual-renewable basis requiring that the lessee survey the land and build a house at least 20 feet by 16 feet with a stone or brick chimney and plant an orchard of 100 apple trees 30 feet apart. [This sounds very much like the covenants of a modern homeowner association.]

Lord Fairfax never married and some say his heart was broken by a woman he had pursued in 1735. The colonies were becoming less and less hospitable toward English lords and after the Proclamation of 1763 and the Stamp Act (1765), he was fairly certain that Virginia would claim his lands in any hostility. So in 1767 he deeded his manors to Thomas Bryan Martin, his nephew and established Virginia colonial, who deeded them back to him so that Lord Fairfax would have a title that had passed through a Virginia deed office.

Interestingly, he maintained neutrality during the War of Independence. The colonists confiscated most of his land in 1776 and he died in 1781 shortly after Lord Cornwallis surrendered at Yorktown. After the war, the new Commonwealth of Virginia sued to obtain lands granted to Fairfax and not conveyed to others. These suits went on for years and undermined the claims of many colonists who had settled Old Frederick Co. Virginia before Fairfax had title to the land (if he never owned it, he could not sell it to them). These cases ultimately established the supremacy of the U.S. Supreme Court over the State Supreme Courts.

The Monocacy, Shenandoah, Opequon, and Back Valleys

As European settlers who had landed in Philadelphia, Pennsylvania moved west from the ferry crossing at Harrisburg, Pennsylvania, they were progressively turned to the southwest by the rise of the Blue Ridge. They could either push into the hills toward Carlisle (present-day route I-81) or take a safer (less hilly) route toward present-day Gettysburg (present-day route 15). In the early days, the settlers with wagons carrying everything they owned were likely to play it safe, although there is no real barrier if they followed the scouts to the west.

The next big river to be crossed would be the Potomac, which formed the boundary between Virginia (Lord Fairfax claims) and Maryland. The eastern track south from Harrisburg, on the front (east) of the Blue Ridge, brought the settlers onto the headwaters of the Monocacy River. Whichever headwater branch they found, they all converged on the point of present day Frederick, Maryland. The valley of the Monocacy was settled (sparsely) in the late 1600s mainly by Germans who went on to occupy present-day upper Montgomery Co. and lower Frederick Co. in Maryland (north of the Potomac). There were fewer than ten distinct families on the Monocacy in 1732. The town of Frederick sprang up in 1745 and grew in importance after a passage was found into Virginia. The Reform Congregation at Frederick baptized 26 children from 49 families in 1747. In 1767, it listed 89 heads of German families. In 1748, old Prince George County, Maryland was divided to create Frederick Co., Maryland.

The Monocacy leads due south from Frederick to the Potomac. This location is too far east to enter the Shenandoah Valley and it does not provide any convenient crossing point into Virginia. As a matter of fact, the Monocacy itself is difficult to cross below Frederick. Thus, between the Monocacy and the Blue Ridge the settlers were funneled to the southwest. Here they found the Catoctin River, which could be crossed to reach a point where the Potomac had eroded its way through a spur off the Blue Ridge. This point became known as 'Sandy Hook.' Here the Potomac was shallow and filled with projections of rock and sand. (It is about 15 miles from Frederick to Sandy Hook, and as you make the trip a notch in the hills ahead guides you.) Sandy Hook is less than two miles downstream from the mouth of the Shenandoah River and the Shenandoah Valley.

A sketch-map prepared by Louis Michel in 1707 shows this critical part of the journey graphically. The settlers were instructed to cross at the shallows on the ridge-line in spite of the fact that the hills on the far side look insurmountable. Once on the south side of the Potomac, the traveler was forced to go into the hills to the south as the river was actually in something of a canyon. [Modern technology has created a road along the Potomac from here to the Shenandoah today, but this path was not feasible in 1700.] Once behind (south of) the first line of hills, the settlers could follow around to the west where a gap led into the valley of the Shenandoah River and a ford was available. Continuing southward, the settlers had a choice of the east fork or the west fork of the Shenandoah River, which are separated by the Masanutten Mountains (ridge).

Louis Michel's 1707 map did not show two important tributaries of the Potomac. A few miles west of the Shenandoah, Opequon Creek joined the Potomac. Similarly, a few miles further west, Back Creek also joined the Potomac. Back Creek, in particular, was the drainage from the south end of a valley. The valley continued north of the Potomac and brought the Conococheague River down from the north. This valley continues on to Pennsylvania and curves up to Carlisle. There is a watershed divide in the valley (at about present-day Shippensburg) and Carlisle is actually on the Conodoguinet River, which runs into the Susquehanna River at Harrisburg. Thus, the Conococheague and Conodoguinet Rivers drain the same valley in opposite directions. Today, I- 81 follows this path without fear of French or Indian attacks. Eventually (after 1735), Hagerstown and Williamsport (a ferry) grew up much like Frederick and Sandy Hook. Of course, The Shenandoah Valley had much more potential for settlement than Back Creek and a ferry was soon built by the Harpers at the confluence of the Shenandoah and the Potomac, so future growth of Sandy Hook was nipped in the bud.

British Government in the Rural Counties of the Colonies

The organization of rural county governments during British colonial rule was as follows:

- **The King appointed a colonial governor (who might never see the colony in person). The governor chose a lieutenant governor to represent the Crown in person in the colony. It is common to call the 'lieutenant**

governor,' the 'governor' when viewing history from the colonial perspective.

- *Once a county was formed by the colonial assembly (in Virginia, the House of Burgesses in Williamsburg), the Governor picked and appointed a crony to be the county governor and various local officials. Typically the county had a Sheriff, Justices of the Peace (the courts), Clerk of the Court, a County Lieutenant (military leader, equivalent to a modern general), and a county Surveyor who as particularly important because the counties were being settled from various land grants and patents from the colonial government (or in the case of northern Virginia Lord Fairfax who had received a grant directly from the King). From there on down, nepotism was the order of the day, especially for deputies in various positions and junior military officers.*

The Fairfax Estate

Charles II came to the throne of England in 1660. He was a profligate, worthless character, who regarded that he owned all England and her possessions. He surrounded himself by a class of ignoble noblemen upon whom he bestowed lavish gifts, in return for these favors, these associates of the King were ready to do his dirty bidding. Among other gifts bestowed by this King upon his favorites was a tract of land known as the Northern Neck of Virginia which became the Fairfax Estate.

In 1681 King Charles II made a deed or grant for this large tract to Lord Hopton, Thomas Culpepper, and others.

In a short time after this grant was made Lord Hopton sold his interest to John Fethewey.

The proprietors were subject to all the laws of Virginia; to pay tax and be governed by that colony. They were forbidden to engage in military affairs, but were allowed to establish schools and to enact laws of a local nature suitable to self government, but all such laws were required to be in harmony with the Virginia House of Burgesses.

After some time had elapsed, this estate descended to Lord Thomas Culpepper to whom it was confirmed by King James II in 1688. Next it descended to his only daughter Catherine, who married Thomas, fifth Lord Fairfax from whom the estate descended to Thomas the sixth Lord Fairfax. We wish to say here that Virginia never recognized the Culpepper title to this land, claiming that King James II had no authority to grant land that had been granted to the Virginia Colony by the Crown at a previous date, but as no one had come to take possession there was nothing done and little said about it during the time it was in possession of Lord Culpepper. By the time Lord Thomas Fairfax, the sixth, came into possession of this estate, adventurers had possession of large tracts. This led to lawsuits some of which lasted half a century, long after the litigants to the original suit were dead. Some of these claimants won confirmation of their titles by the Assembly, but the transaction usually resulted in a compromise to which both parties consented. If it was decreed that the suitor's title should stand, he was still required to pay the yearly rent to Lord Fairfax the same as those who purchased their lands of him.

There existed in most of the American colonies an aristocratic European land system. It demanded that a yearly tax be paid to rich land barons who had acquired vast areas of real estate in the colonies. This tax was not only to be paid to the original owners of these estates, but was to be perpetuated down through their descendants. In Maryland, it consisted of only an annual rent of two arrows and one-fifth of all the gold that might be found; in New York it existed under the patroon system; in New Jersey a certain tax on land was held; in Pennsylvania it was known as quiet rent; and in the Northern Neck of Virginia Lord Fairfax demanded a rent when they leased their lands, very little of it being sold outright. This rent consisted of one to two and a half cent per acre taken in advance. This was called 'Composition Money.' He required an annual sum of about the same amount to be paid on a fixed date of each year. This annual tax was not the same each year. Sometimes the greed of the owner caused him to increase his rents. This was usually done after a person had taken up land without title, improved it, then when he was informed of increased taxes he usually paid it rather than give up the land he had labored to improve.

The Establishment of Frederick County, Virginia was between (1738-1743)

*It was not until 21 December 1738, that the House of Burgesses met in Williamsburg to rename territories taken from Lord Fairfax west of the Blue Ridge. These lands were renamed Frederick County after the Prince of Wales. At that time, a new county seat was established and surveyed by James Wood (surveyor of Orange County). After Lord Fairfax gained the rights to the land in 1746, he sent his own survey party to Winchester including a 16-year-old from a wealthy tidewater family named George Washington. Apparently, this kicked off a round of law suites between the original settlers (pre-1738) and Lord Fairfax over who owned the land. In his book *Pioneers of Old Frederick County, Virginia* (Wadsworth Publishing Co., 1995, Marceline, Missouri), Cecil O'Dell cited the *Hite/Fairfax Law Suite, British copy, pp. 162-163* concerning the lands originally settled by the Hite families. In O'Dell's words:*

'Jost Hite had 175 acres on the east side of Opeckon' Creek surveyed by Robert Brook on 23 December 1734. Hite assigned this tract to Richard Morgan who then sold it to 'George Pearis the elder who devised by will (15 November 1749) to his grandson George Pearis who has assigned his interest in the same to Jacob Hite 10 October 1765 for the consideration of 80 pounds.'

With the establishment of the courthouse and records system, the colonists of Frederick County began registering their deeds, wills and land transactions, which allow us to examine the business transactions of the common people of the county. The population of the county grew steadily after 1700: 4,300 settlers by 1745 and more than 11,000 by 1763.

Potomac River Maryland, Pennsylvania, Virginia, West Virginia, District of Columbia
Cunningham Falls



In 1745 Fairfax came to America to acquaint himself with his estate. He was so well pleased that he returned to England, arranged his business there, preparatory to making his home in the New World. Pursuant to this plan he came to Fairfax County, Virginia, two years later, and after a time moved to Greenway Court, Clarke County, Virginia, about twelve miles from Romney, now West Virginia.

Lawrence Washington, half brother of General George Washington, married a near relative of Lord Fairfax. This event established a close friendship between these families and on account of this, Fairfax, though a Tory, was not disturbed by the Continentals during the Revolutionary War. He employed George Washington to survey his vast estate. This opportunity was the source of Washington's wealth and developed him for future greatness. He

had received as his salary anywhere from fifteen to twenty-two dollars per day. The money he received from this source was invested in real estate at a very low figure. This double advantage of investing unusually large earnings in land at low prices explain in a measure how Washington's fortune grew toward the million-dollar mark - considered a vast estate in his time.

Washington's work as surveyor led him across the mountains into what is now Hampshire, Hardy, Mineral, and Grant counties now in West Virginia. His work as surveyor here in mapping out estates and placing land marks was so accurate that it remains a marvel to the present day.

When Fairfax came to Virginia he began to push the sale or lease of his land more vigorously than had been done by his agents. The best portions of were laid out in manors. These he disposed of by laying them out in small tracts which he usually leased. Very little of it was ever sold. The lease plan demanded a small payment in advance and a perpetual annual rental to continue forever. Had he succeeded in leasing all his lands in this vast estate, he would have had an annual income of at least \$200,000. It was stipulated in these early leases that the hunting of beaver, deer, elk, buffalo, and other game was forbidden without the consent of Fairfax or his heirs.

While the Northern Neck was in possession of Lord John Culpepper and others the country west of the Blue Ridge has not been explored and it was supposed this territory did not extend beyond that range of mountains, but in time exploring parties found their way through the gap at Harper's Ferry, discovered the Shenandoah and followed the Potomac until they reached its source in the Allegheny Mountains.

Previous to this the Governor of Virginia had granted titles for large tracts of land west of the 'Ridge' but was notified by Fairfax that he claimed it. The Governor now refused to grant any more titles until the boundaries of Fairfax's estate could be determined. The Governor of Virginia and Lord Fairfax now presented the matter to King James II, for settlement, who appointed three commissioners to represent the Governor and three to represent Fairfax. These commissioners were to explore the Potomac and Rappahannock rivers and mark out the boundaries of this estate. They were authorized to employ what man they needed for an exploring party and in September 1736, they met at Fredericksburg, Maryland, to prepare for their work of exploration. They were required to take evidence of citizens living along the stream concerning the real Potomac. By October 12 their preparations were complete and they convened at Alexandria from whence they began their journey up the river. When they had passed through the gap at Harper's Ferry, they learned by inquiry and investigation that the stream coming down from the south was not the Potomac but the Shenandoah. They then proceeded to the mouth of the South Branch, where they had more difficulty in determining which stream to follow.

A careful examination of the two streams here disclosed the fact that the one coming from the south discharged the greater volume of water, but as the North Branch occupied the widest valley, which seemed to be the natural continuation of the one they had followed, they decided that this was the real Potomac. From here they proceeded up the stream until they reached Stony River, a name they applied to this stream because of the prevalence of so many stones. After exploring it they proceeded up the main stream to a point near where Wilsonia is now located. Here they pitched camp and after carefully exploring the surrounding streams and rivulets to ascertain the real source of the Potomac, on December 14, 1756, marked the spot where the Fairfax Stone now stands as the first fountain of the Potomac. The report of these commissioners was submitted to the King and by him confirmed on April 11, 1745.

Commissioners were now appointed to run a line from the source of the Rappahannock to the first fountain of the Potomac. They began on September 18, and on October 17, planted the Fairfax Stone, one of the most interesting historical monuments in the United States. The report of these commissioners was ratified by the House of Burgesses and Lord Fairfax which completed the title to the Northern Neck of Virginia.

The stone that now marks the head fountain of the Potomac is not the original Fairfax stone planted by the commissioners. The original stone was destroyed in 1884 by unknown persons which was supposed to be the work of some thoughtless boys. The Davis Coal and Coke Company put another stone in its place resembling the original as near by as possible.

For a long time Maryland claimed a portion of the Fairfax Estate. This claim grew out of the early history of the

country when the geography of West Virginia was not well understood. From the earliest history of Virginia and Maryland the Potomac was regarded as the dividing line between these states, but in 1850 Maryland set up the claim that the stream known as the South Branch was the true boundary line between Maryland and Virginia and laid claim to all the land north of this stream and extending westward to a line drawn due north from its head fountain to the southern boundary of Pennsylvania. Had Maryland succeeded in holding and establishing her claim Virginia would have lost part of Highland County, Virginia, and West Virginia would have lost portions of Hampshire, Pendleton, Tucker, Randolph, Preston, and Grant counties, and all of Mineral County. Virginia prepared to resist the claim of Maryland and Governor Floyd appointed Charles J. Faulkner, of Martinsburg, to defend the case. He made a careful investigation of the whole matter by examining all available authorities on the subject and made his report November 6, 1852, which showed that the line established by Fairfax's surveyors was the true boundary line between the two states. But Maryland held onto her claim until in recent years when it was finally settled in favor of Virginia by the supreme Court of the United States.

The Fairfax land aristocracy received a severe blow in 1776 when Thomas Jefferson introduced a bill into the legislature of Virginia that all land must be held in a fee simple. This bill passed but it did not absolutely break up the Fairfax estate, but it did put a stop to incomes on leases. The estate was not completely broken up until after the close of the Revolutionary War, when Lord Thomas Fairfax was declared a Tory and his property was confiscated and thus returned to the states.

Fairfax lived in a cabin at Greenway Court about twelve miles from Romney. His home was surrounded by many similar habitations occupied by his slaves of which he owned about two hundred. He was about ninety years old when the battle of Yorktown was fought. The news of the loss of this battle to the British overcame him and he took to his bed and died soon thereafter.