LORD DUNMORE AND THE PENNSYLVANIA-VIRGINIA BOUNDARY DISPUTE

PERCY B. CALEY

The casual student of western Pennsylvania history often comes to the conclusion that the boundary dispute between Pennsylvania and Virginia originated with the latter, and that Lord Dunmore and his western representative, Lieutenant Colonel John Connolly, were the instigators. As a matter of fact this region was first included in the Virginia grant of 1609, when Virginia was given the land two hundred miles north and south of Old Point Comfort and west and northwest to the sea. The Pennsylvania grant, seventy-two years later, was bounded on the west by a line five degrees west of the Delaware River and paralleling it. Inasmuch as the Pennsylvania grant extended south to the thirty-ninth parallel, this region about the junction of the Allegheny, Monongahela, and Ohio rivers was thus included in both the Virginia and Pennsylvania grants.

For at least twenty years prior to Lord Dunmore’s arrival, Virginia had acted on the belief that this territory belonged to her. Pennsylvania, however, had taken the precaution to protest against this assumption at its earliest manifestation. After the French and Indian War large numbers of Virginians obtained grants in the disputed section. To complicate the situation further, lands were surveyed and awarded near Pittsburgh by Pennsylvania in 1769, and many Pennsylvania settlers moved in. Consequently, in 1771, Pennsylvania appointed magistrates to function in the region, and the building of a courthouse and jail at Pittsburgh was contemplated. On the other hand, Virginians persisted in recognizing the authority of their home colony. In that year, therefore, the dispute began to grow acute.

That was the year, too, long known in frontier history as the “starv-
ing year." For at least six months the people were without grain and bread. Under such circumstances taxes of any kind would have been obnoxious, and to the Virginians those which Pennsylvania attempted to levy were an abomination. Following the leadership of George Croghan, a Pennsylvania trader, and Michael Cresap, a Maryland trader, the Virginians around the Monongahela and Redstone settlements formed an association to resist Pennsylvania laws and officials. This resistance did not abate. The next year Croghan drove off Pennsylvania tax collectors and threatened them with death if they touched his effects. By a similar threat a group of Virginians prevented the Pennsylvania sheriff from attempting to serve processes. Also, in 1772, General Thomas Gage refused Lieutenant Governor Richard Penn's request to replace the garrison at Fort Pitt as a protection for the settlers against the Indians. Nevertheless, in February, 1773, the Pennsylvania assembly formed Westmoreland County, including much of southwestern Pennsylvania, and appointed sixteen justices to keep the peace.3

In the meantime Lord Dunmore had arrived in Virginia on September 25, 1771, after the boundary dispute had already grown acute. Like many other colonial governors and large numbers of the colonists, he was undoubtedly anxious to acquire western lands, though he was very dubious about the promotion of western settlements as a governmental policy. Unquestionably he was soon conversant with the turmoil about Fort Pitt. Moreover, in Virginia he was thrust into the midst of a multitude of powerful individuals wanting western lands. Veterans of the French and Indian War, entitled to such grants, were clamoring for recognition. Not the least of these, and indeed the leader of them all, was George Washington. The latter, pressing the claims of his veterans and his own as well, assiduously cultivated Lord Dunmore's friendship. The result was that he and Dunmore planned a trip together to Fort Pitt and the surrounding regions in the summer of 1773.4 Much to his


regret, Washington, because of unavoidable circumstances, was unable to accompany the governor. He did, however, arrange that Dunmore should be conducted by his own surveyor and friend, Captain William Crawford.

To the public Dunmore gave the following reasons for his journey: he wanted to see for himself if Pennsylvania and Maryland were granting lands beyond the limits of the king’s proclamation of 1763 (which forbade settlement beyond the headwaters of the eastern rivers); to ascertain if he should grant lands to his own people; and to check the "aspiring and encroaching spirit of the princely Proprietor." To Lord Dartmouth his only explanation was that his journey "might conduce to the good of His Majesty's service."

Lord Dunmore left Williamsburg on July 8 and arrived at Fort Pitt on or about August 12. On the way, according to Washington's arrangements, he stopped at Crawford's home, obtained valuable information, and promised his host contracts for surveying in the West as well as grants of land. In and around the fort he found upwards of ten thousand settlers (or so he told Dartmouth), without magistrates to preserve order or militia for protection against the Indians, whose fighting strength he estimated at from eight to ten thousand men. The people, so he later reported, "flocked about me and beseeched me" to remedy such conditions. However, before taking action he decided to wait until he had consulted the Virginia council at Williamsburg. He therefore bade the petitioners visit him on his return to that city. Here at Fort Pitt he met Dr. Connolly for the first time. Undoubtedly they much approved of one another, for Connolly told Washington that he found Dunmore "to be a Gentleman of benevolence & universal Charity, & not unacquainted with either Man or the World." On his part Lord Dunmore then promised Connolly two thousand acres at the Falls of the Ohio, and he was later to shower other honors upon him. Before Dunmore left Fort Pitt a rumor was circulating that he would grant land to Pennsylvania officers of the French and Indian War if their

5 American Archives, fourth series, 1:277; Dunmore to Dartmouth, March 18, 1774. The letter, together with other Dunmore papers directly cited below, is to be found under the heading, "Virginia, Official Correspondence, 1768-1776," among the Bancroft Transcripts in the Library of Congress.
claims were properly certificated. By September 7 he was back in Williamsburg.  

Later that autumn Virginians from Fort Pitt visited Dunmore at his colonial capital. After conferring with his council and winning its approval, he proceeded to appoint magistrates and militia officers for the disputed region. Dr. Connolly was created captain of the militia and charged with carrying out Dunmore’s orders.

On January 6, 1774, Connolly published Dunmore’s proclamation asserting Virginia’s jurisdiction over the territory. As militia commander he immediately announced a muster for January 25, and he let it be known that Dunmore, to support his authority, was seeking aid from General Frederick Haldimand in Detroit. Moreover, the doctor wrathfully announced that he would oppose the holding of any Pennsylvania court at Fort Pitt.

Acting on the advice of the noted Pennsylvania jurist, James Wilson, Arthur St. Clair, chief magistrate of the Pennsylvanians, on January 2 proceeded to throw Connolly into jail. Two days later it was announced to about eighty of the carousing militia that Lord Dunmore had no authority to determine the jurisdiction for the region and that their military activities might arouse the Indians. From the jail Connolly wrote Dunmore that, Pennsylvanians excepted, the governor’s proclamation “was so agreeable that every countenance expressed the highest satisfaction.” However, he went on to ask for nine more commissions for militia officers, as he had three hundred more men ready to enlist.

Along with Connolly’s letter to Dunmore went a petition signed by about six hundred people begging the governor to establish his authority over them. The petitioners stated that because the major portion of them

---


came from Virginia they preferred the "mild, easy and equitable government" of Virginia to the "expensive" one of Pennsylvania; that Pennsylvania was asserting claims "many miles" west of her boundary; that the means for trying cases of titles to lands and for recovering small debts were oppressive; that Pennsylvania attorneys exacted unfair fees; that Pennsylvania officers put the proprietor's interests ahead of the people's; that the Pennsylvania taxes were too heavy, with too great a proportion of them going to the officials; and that a poor defense was provided against Indians. Most of these petitioners lived near the disputed line, with the settlers at Redstone and Fort Burd taking the lead.

Meanwhile Governor Penn was exhorting St. Clair and the other magistrates to uphold the power of Pennsylvania, and promising them his support. Moreover, he issued a proclamation which forbade tumultuous gatherings of over twelve men. Violators, if they continued together for the space of an hour after being warned to disperse, were to be judged guilty of felony and suffer death without benefit of clergy. A week later he wrote Dunmore citing the grounds for Pennsylvania's claim to the region and urging him to avoid acts, such as the appointment of officials, which might lead to clashes and disputes, until joint commissioners should agree upon a temporary boundary.

Dunmore's reply was a haughty refusal to co-operate. He denied the reliability and fairness of the Pennsylvania surveys; cited the Pennsylvania assembly's earlier refusal to help defend the region as evidence that that body did not consider it under Pennsylvania's jurisdiction; and refused to revoke appointments already made with the advice of his council. Indeed, he demanded the dismissal of St. Clair for the arrest of Captain Connolly, unless the former would seek pardon of himself. To Dartmouth he wrote a rather complete report of the dispute, as he saw it, and justified his actions by much the same arguments as those he had used with Governor Penn. The Virginians at the capital, jealous of the success of Maryland and Pennsylvania in obtaining the Indian trade and

9 Included with Dunmore's letter of January 28, 1774.
10 American Archives, fourth series, 1:269; St. Clair, Papers, 1:284.
securing land grants on the frontier, commended their governor's conduct.\textsuperscript{12}

Governor Penn replied with an able answer to Dunmore's arguments. He pointed out that an agreement had been made between the two colonies in 1752–1754 that Pennsylvania's claims would not be endangered, pending the final determination of the boundary, by the erection of defenses under Virginia's direction at the Forks of the Ohio; and that Governor Dinwiddie had even permitted the collection of quitrents by Pennsylvania on lands granted by her in the disputed section. He denied that the Pennsylvania assembly had ever formally agreed that Fort Pitt was beyond their jurisdiction. And again he pleaded with Dunmore to defer the assumption of authority, with its consequent dissensions, until the boundary had been equitably decided. However, though deploring possible trouble, he refused to discharge St. Clair or to accede to Dunmore's claims.\textsuperscript{13}

This letter Dunmore's council considered such a "high insult" that they not only told him not to answer it but advised him to seize St. Clair if possible, and to raise and send an armed force sufficient to obtain Connolly's release. In accordance with these directions Dunmore issued a proclamation at Fort Pitt on April 25, stating that, because of the illegal arrest of some of his officers and because of possible Indian disturbances, he was empowering his militia officers at that place to enroll men "to repel any Insult whatever." All settlers were ordered to pay all quitrents and dues to such men as should be appointed. Then he proceeded to write his report to Dartmouth, rebutting Penn's latest arguments and further justifying his own conduct. To begin with, he was of the opinion that "many other circumstances should be taken into consideration besides the parchment boundaries." Indeed, he doubted if even the king, having first granted the land to Virginia, could re-grant it to Pennsylvania. But, assuming that that were possible, Pennsylvania had allowed the territory to become derelict by failing duly to ascertain its boundaries. Moreover, it had since been conquered by the French and retaken by the king's arms. As a consequence of the latter

\textsuperscript{12} Pennsylvania Colonial Records, 10:156; Dunmore to Dartmouth, March 18, 1774; Virginia Gazette, March 3, 1774.

\textsuperscript{13} Pennsylvania Colonial Records, 10:158.
fact the title to the land now rested with the king, who could dispose of the country as he wished. Even allowing Pennsylvania her parchment boundaries, her own surveys showed that her jurisdiction extended only six miles beyond Fort Pitt, yet she had granted lands, served processes, and exercised full control "full a hundred miles round" the fort. Finally he cited maps of Virginia, one by Jefferson and Fry in 1751 and another by M. Henry in 1770, showing Fort Pitt "considerably without the western boundary of Pennsylvania." He admitted that this evidence was not decisive, but he contended that it was at least equal to Pennsylvania's own survey.14

While this epistolary combat was being waged between the governors, their partisans in the disputed territory were approaching open conflict. Connolly, released from jail, recruited his followers from among the border riff-raff, took possession of Fort Pitt and let it be known that he was ready to use force to maintain his authority. The inhabitants, still led by Croghan, continued to refuse to pay taxes to the Pennsylvania officers. At the head of about two hundred armed men Connolly broke up a session of the Westmoreland County court, arrested three magistrates, and sent them under guard to Staunton, Virginia, where they were released at Dunmore's orders. Later Connolly agreed to let the court hear such cases as were brought to it until he had received instructions to the contrary, though he still refused to consider a temporary boundary line.15

Faced with Connolly's very apparent willingness to employ force, the Pennsylvania magistrates were in a quandary. Their colonial council had pointed out how vain it would be to resort to arms since Virginia had power to raise militia whereas Pennsylvania did not; yet in the same letter the council had asked that they "continue with steadiness to exercise the Jurisdiction of Pennsylvania with respect to the distributions of Justice and punishment of Vice." Unknown to them, however, their predicament was somewhat relieved by Dunmore himself. The governor, having learned how Connolly had jailed the Pennsylvania jus-

14 PRO, CO 5, 1353:245; Pennsylvania Archives, first series, 4:490; American Archives, fourth series, 1:283; Dunmore to Dartmouth, May 2, 1774.

tices without sufficient cause, dispatched a sharp rebuke. He wrote: "I very much disapprove of the length to which you suffered your intemperate heat to carry you." Such evidence of imprudence "makes me think it necessary to remind you that you cannot hope for the protection of this Government longer than you adhere... to the strict rules of law and justice." Nevertheless, if the Pennsylvania magistrates endeavored to act, Connolly was to commit them to prison, "but peaceably and without tumult and disorder." Indeed, the sole intention in establishing Virginia's authority had been "to promote order and justice among the people, and provide for their defense in case of danger from the Indians." However, along with this private letter went his proclamation of April 25 for public consumption, which did not at all tend to allay popular excitement. Indeed, this latter document brought a rebuke from Dartmouth who had fully approved Dunmore's previous steps. This proclamation, Dartmouth believed, hinted too strongly at the use of force and "breathed too much a Spirit of Hostility." 16

At the time, however, Dunmore, unaware of Dartmouth's opinion, undoubtedly felt that such threats would help his cause. Thus it was rumored in Virginia that he was to lead twelve hundred men against the Pennsylvanians. But the assemblies of the two colonies interested themselves. At the invitation of the Pennsylvania council the Virginia House of Burgesses recommended to the governor that a temporary line be fixed. In the same resolution they clearly expressed their disapproval of his hostile policy. In his reply to the assembly Dunmore said that he would agree to an "equitable temporary line" if one were proposed, but that he would oppose force with force if necessary. To bolster his position there arrived another petition from the Virginians on the Ohio, enumerating the same grievances set forth in their earlier effort. 17

16 Pennsylvania Colonial Records, 10:171; Dunmore to Connolly, April 25, 1774; PRO, CO 5, 1352: 93, 178.

17 "Extracts from Diary of Col. Landon Carter," in William and Mary College Quarterly, 14:183 (January, 1906); Hamilton, Letters to Washington, 4:391; Pennsylvania Colonial Records, 10:170; Virginia, Journals of the House of Burgesses, 1773-1776, 2:93, 100 (Richmond, 1905); Dunmore to Dartmouth, December 24, 1774; American Archives, fourth series, 1:276.
Pennsylvania, as a conciliatory move, chose commissioners to draw up a temporary boundary in collaboration with the Virginia governor. They arrived in Williamsburg on May 19 and commenced their negotiations with Dunmore the next morning. The commissioners proposed to have mutually chosen surveyors run a line in accordance with their grant five degrees west of the Delaware, and that Virginia should withdraw her jurisdiction over Fort Pitt and the surrounding country until the king's will was known. Dunmore could not agree with them as to what five degrees west of the Delaware meant, nor would he surrender his authority over Fort Pitt. The commissioners would not disobey the limits of their instructions nor would Dunmore yield on any point. Thus, after a week of fruitless negotiations, the commissioners went home. According to Dunmore the Virginia council agreed in rejecting Pennsylvania's proposals as unreasonable.

In the meantime the situation at the seat of the trouble continued to grow worse. Either Connolly took Dunmore's reproof with a grain of salt or he had little control over his men. Not only did they abuse the Pennsylvanians in every possible manner but their mistreatment of the Indians, to the dismay of the settlers, was about to precipitate an Indian war. So great was this oppression and danger that St. Clair advised Governor Penn to sanction open resistance. Even George Croghan switched to the support of Pennsylvania.

While affairs were in this troubled state Connolly came forward with the statement that Lord Dunmore had empowered him to run a temporary boundary line, in collaboration with the Pennsylvania magistrates, providing it ran at least ten miles east of Fort Pitt. But the Pennsylvania justices, lacking the power, refused to act. Though neither party knew it at the time, it is interesting to note that Dartmouth was writing Dunmore on May 30, notifying him that the Board of Trade had recommended a temporary line "by a continuation of the Boundary Line between Virginia and Maryland due West, until it touches the Monongahela—and on the West, by a line drawn due North from that point of the Monongahela where the Southern Line falls in upon it:"

18 Pennsylvania Colonial Records, 10:173, 175, 181, 183-191; Dunmore to Dartmouth, June 4, 1774.
until it touches the Ohio River above Fort Pitt." Even when Dunmore did receive this recommendation he decided that it was impossible to carry out the directions.

In July Connolly began to try to collect the taxes on the peltries of the Pennsylvania traders; and the people living west of Laurel Hill were petitioning the Pennsylvania officials to refrain from performing their duties. The Pennsylvania traders, aroused at the thought of paying taxes to Virginia, decided to move their base to Kittanning. Thus pressed, the Pennsylvania council authorized the laying out of such a town to accommodate the traders and such other inhabitants of Pittsburgh as cared to take refuge there.¹⁹

At this juncture the imminence of an Indian war brought about an unofficial truce in the boundary dispute. Though the Indians, particularly the Shawnee, had never completely observed the terms of the peace concluded after Colonel Bouquet's victory at Bushy Run, their depredations had increased to alarming proportions as surveyors and settlers pushed farther and farther down the Ohio Valley. Since these surveyors and settlers were chiefly Virginians, the Indian resentment was visited mainly upon the people from that colony. This was not wholly displeasing to the Pennsylvania settlers and traders who likewise held the Virginians chiefly responsible for the situation. Nevertheless, Connolly's warlike behavior and mistreatment served only to increase the alarm of the Indians. The murder of Chief Logan's family by Greathouse and Baker was followed by the killing of a few more Indians along the Ohio by a party under the leadership of Michael Cresap.²⁰ These events are supposed to have precipitated the hostilities known as Dunmore's War. The incidents of this conflict have little or no bearing upon the boundary dispute. It was fought almost entirely by Virginians, under Virginia's leadership, and at her expense.

Lord Dunmore himself led one contingent of troops against the

Indians. On the way to invade their country he stopped in Pittsburgh for more than a fortnight. Almost the whole of that time, during the early days of September, he was engaged in conferences with the Indians. However, before setting forth on his victorious foray against the Shawnee towns, he found time to issue, on September 17, another proclamation. In this, after again reviewing the alleged abuses of the Pennsylvania government, he commanded "all his Majesty's subjects west of Laurel Hill, to pay a due respect to this my Proclamation, strictly prohibiting the execution of any act of authority on behalf of the Province of Pennsylvania, at their peril." Virginia's laws were to be obeyed. At this time he could hardly have received Dartmouth's instructions of August 3, which advised the settlement of the disputed boundary by commissioners appointed and paid by the two colonies, since, he wrote, "it will not be I conceive in the power of the Crown, of its own Authority, to decide the Controversy."21

After publishing his proclamation Dunmore proceeded down the Ohio into the Indian country. There, due chiefly to Colonel Lewis' victory at Point Pleasant, he was able to conclude an advantageous peace. He was back at Fort Pitt the second week in November. During his absence Governor Penn had issued, on October 12, a proclamation countering that of Dunmore on September 17 and ordering the people to obey Pennsylvania laws and officials. Attempting to carry out his duties, Mr. Scott, a Pennsylvania justice, was arrested by Connolly and taken to Fort Burd for a hearing before Lord Dunmore himself. After an examination lasting nearly two hours the offender was held for trial at the court of Augusta County, Virginia, to be held in Pittsburgh on December 20. Then, leaving Connolly in charge at Fort Pitt, Dunmore returned to Williamsburg, where he was soon to be involved in quarrels with his own burgesses.

Left to his own devices, Connolly resumed his persecution of the Pennsylvania officials. When they attempted to use their authority he arrested them. While they were in jail his men plundered their property. An attempt was once again made to collect the tax on peltries. A group of his supporters, constituting themselves a jury, deprived

21 *American Archives*, fourth series, 1:791; PRO, CO 5, 1352:223.
Pennsylvanians of their land and appropriated it themselves though this was forbidden by Dunmore when he learned of it.

In May, 1775, hearing that the Virginia governor had abandoned his office as a result of his quarrel with his burgesses, an Augusta County association was formed to promote revolutionary measures on the frontier. By the last of the month Connolly was making preparations to leave. Before going, however, he was successful, according to his own statements, in carrying out Dunmore's wish that the Ohio Indians should be prepared to aid any British effort in the West. To do this he had to summon an Indian council. Hearing of his project and fearful of his intentions, the Continental Congress asked both Virginia and Pennsylvania to send commissioners to the council to forestall Connolly's possible designs. To this appeal Virginia responded in an effective manner. By this means Connolly's plans were largely frustrated, though he did secure qualified pledges of loyalty from a few Indians and a large number of eminent Virginia frontiersmen.

Despite his troubles in Williamsburg, Lord Dunmore did not intend to give up the region about Fort Pitt. Through Connolly he issued another proclamation insisting on obedience to Virginia's laws and forbidding the exercise of Pennsylvania's authority. The committee of West Augusta County, Virginia, made it known that they intended to see that the proclamation was enforced. In the reply of the committee


23 PRO, CO 5, 1353:595. The pledge stated that, though the governor's removal of the gunpowder from the Williamsburg magazine and the rumor that he intended to use the Indians against the West had given his enemies powerful grounds for propaganda, "we can never be induced to change our opinions, without reasons much more cogent than such as we have yet been made acquainted with." This was signed by John Campbell, John Cannon, John Connolly, Edward Ward, Thomas Smallman, Alexander McKee, George Gibson, Caleb Graydon, Alexander Ross, John Gibson, William Crawford, William Harrison, John Stephenson, Paul Troman, George Aston, Simon Girty, William Chrystee, Jacob Bausman, Valentine Crawford, and Benjamin Harrison, "with several hundred Inhabitants of Transmontane Augusta."

of Westmoreland County, Pennsylvania, is found one of the first charges that Dunmore had instigated the boundary dispute as a means of distracting the two colonies from the common quarrel with Great Britain. And they boasted that “Ten Thousand Proclamations” would not render them “amenable to the Courts of Virginia.”

Taking advantage of the mounting revolutionary feeling and the spreading rumors that Connolly was plotting against the colonies, St. Clair jailed the captain a second time. He misjudged the strength of popular feeling, for Connolly’s followers threatened to storm the jail. Fearing the results of such a conflict, St. Clair freed his prisoner. Anticipating further reprisals because of his loyalist activities, Connolly left Pittsburgh on July 25, and hastened to Lord Dunmore. That was the last that Fort Pitt saw of Connolly, though he and Dunmore continued to plot against the security of the westerners.

Connolly’s departure did not settle the boundary dispute. Indeed, the situation grew so ominous that the Continental Congress itself begged the partisans of the two colonies to curb their tempers and desires until the greater conflict with Great Britain was settled. Even this request did not suffice to quiet the disturbances, for the Virginians were still bellicose. Distrusting the results of Connolly’s earlier conference with the Indians, a second council was summoned for September, at which delegates from the Continental Congress were present. On September 11, a few days before the council met, about one hundred armed Virginians from Winchester marched in and took possession of the fort, thus causing no little alarm among the Indians. Indeed, the Congressional delegates considered removing the council to another place. No solution of the boundary line was attempted.

Things dragged on, the situation growing more and more chaotic, until in June, 1776, the Virginians living west of Laurel Hill themselves petitioned the Virginia convention to settle the matter some way.


27 American Archives, fourth series, 3:717, 1723; Pennsylvania Archives, first series, 4:659.
Two weeks later that body drew up a definite temporary line and proposed it to the Pennsylvania assembly, but no agreement resulted. Then the exigencies of the Revolutionary War forced the inhabitants to dwell in peace for some time. In 1779, both colonies agreed to appoint commissioners to decide the matter. Pennsylvania was represented by George Bryan, John Ewing, and David Rittenhouse; Virginia, by James Madison and Robert Andrews. These men agreed to extend the Mason and Dixon line five degrees farther west as Pennsylvania's southern boundary. The meridian extending from the western end of this line to Pennsylvania's northern boundary was to be her western limit. This agreement was ratified by the legislatures of both states in 1780, though the permanent lines were not definitely ascertained and fixed until 1785. Thus, despite the machinations of Lord Dunmore and Lieutenant Colonel Connolly, Fort Pitt was finally awarded to Pennsylvania.

28 American Archives, fourth series, 6:932, 1545, 1576.