

David Laird

(ca. 1736 - 1800)

Of Augusta & Rockingham Counties, Virginia

Including a narrative of Virginia's struggles during the first year of The Revolutionary War as revealed by David in his petitions to the Continental Congress (sitting at York, Pennsylvania in 1778); also to the Virginia Legislature at Richmond, Virginia in 1786 who granted him what he had requested-but failed to receive-from the Continental Congress.

Netti Schreiner-Yantis

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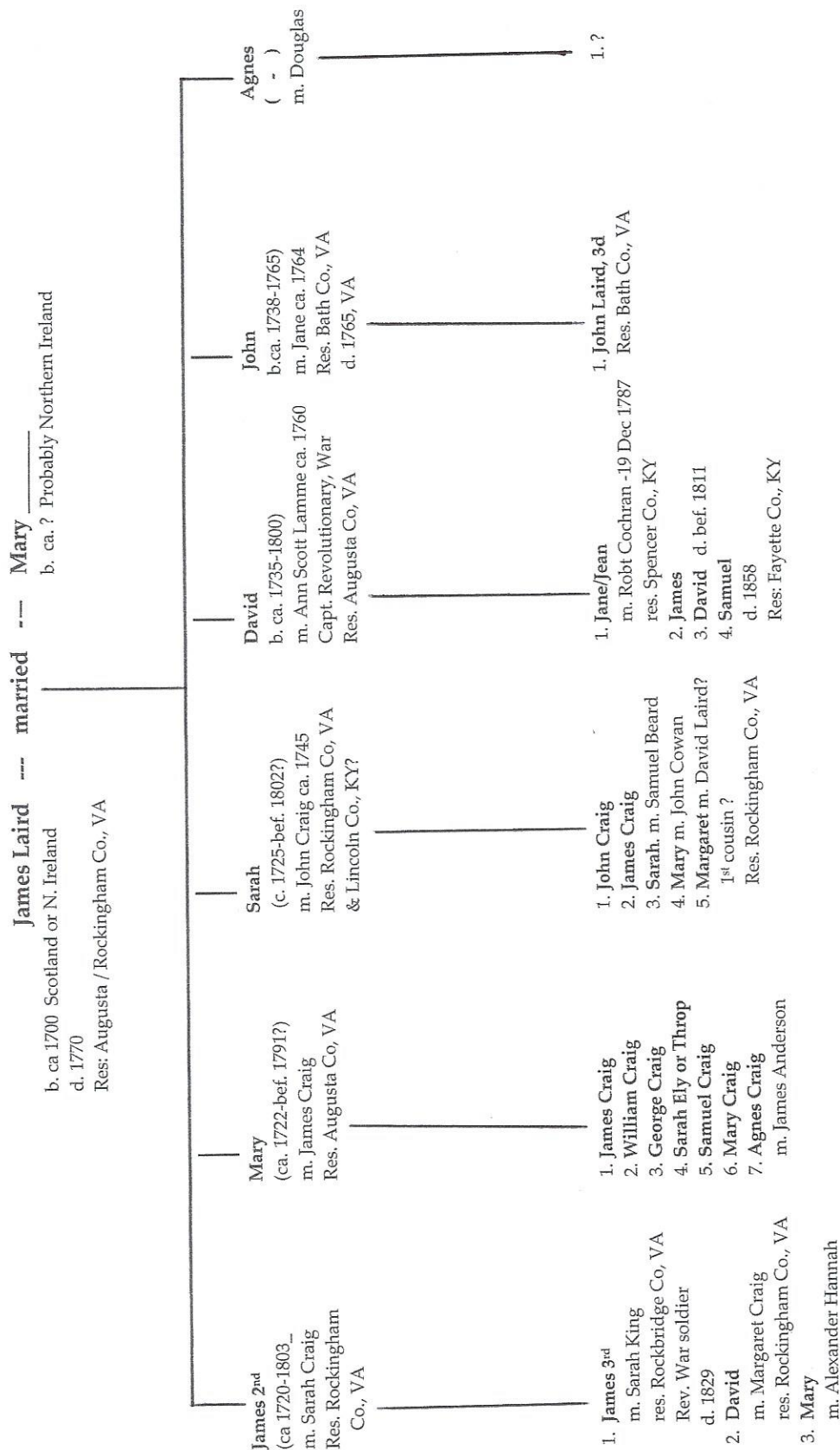
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Part 1

His Heritage

FIRST THREE GENERATIONS OF JAMES LAIRD'S FAMILY IN AMERICA



(The data on this chart has been gathered from John A. Maltby's "Laird Family of Augusta County, VA" and "Laird Family in Kentucky" - both on Internet)
 Documentation for dates and relationships shown above is provided in Mr. Maltby's articles on the Laird family.

David Laird's Ancestry

David Laird may have been born in Scotland. It is probable, however, that it was his father or grandfather who was born in Scotland, and they (like thousands of other Scots) moved to Northern Ireland before immigrating to America. A knowledge of the history of Scotland may partly explain David's zeal and perseverance as he became a Scotch-Irish emigrant in America.

First, however I want to share what is said on the internet about the surname "Laird".

"The pre-medieval surname "Laird" is both Scottish, and later Irish. It mainly derives from the early Gaelic word of the pre 10th century 'laverd', meaning a **land owner or land lord** . . . The early recordings of Laird are from the famous Border Country, the fifty mile swathe of hills and valleys from Berwick on the East Coast to Carlisle on the West, an area which was fought over for at least fifteen hundred years . . . The first known recording of the surname Laird is believed to be that of Roger Lawird of Berwick, who in the year 1257 made an agreement with his overlord the Abbot of Kelso Abbey, in regard to lands at Waldefat, near Berwick. . . . Later recordings in the modern spelling include Thomas Lairde of Glasgow, who was a witness at the Crown Court there in 1552, and David Laird, who seems to have been the vicar of Fovern in 1574 during the reign of Mary, Queen of Scots . . . Although "laird" is sometimes translated as **lord** and historically signifies the same, like the English term **lord of the manor** "laird" is **not** a title of nobility. The designation is . . . **an inheritable property that has an explicit tie to the physical land, i.e. cannot be bought and sold without selling the physical land.**" -- from Wikipedia

The history of Scotland – Time lines -- from Wikipedia

Pre-1600 - Scottish clanship contained two complementary but distinct concepts of heritage.

1st -- These were firstly the collective heritage of the clan, in which was their prescriptive right to settle in the territories in which **the chiefs and leading gentry of the clan customarily provided protection.**

2nd -- The second concept was the wider acceptance of the granting of **charters** by the Crown and other powerful land owners to the **chiefs, chieftains and lairds** which defined the estate settled by their clan. This gave a different emphasis to the clan chief's authority in that it **gave the authority to the chiefs and leading gentry as landed proprietors, who owned the land in their own right . .**

1603 - When James I of England . . . came to the throne in Scotland . . . Many people were killed and others sent to low countries. Whole families were sent to Ireland with the hopes that they would settle down to farming and be peaceful. However, their previous way of life had become so ingrained, they became the hard core of the Scots/Irish settlers. They were the best frontier fighters in Britain, if not in Europe [and in America].

1618 - **James VI** forces **episcopacy** (Catholicism) on the **Church of Scotland** through the **Five Articles of Perth**.
[Many of the inhabitants at that time were protestant Presbyterians.]

1650- A Presbyterian sect labeled the Covenanters attempted to overthrow the English king. Whole prisons were built to house them

1662 - During the session the (Catholic) **Church of Scotland** was restored as the national Church and **all office-holders were required to renounce the Covenant.**

1660-. The reasons so many left their homeland in the north of Ireland was due to religious persecution . . . The **Test Act of 1704** was particularly hard on Presbyterians: 1. **Marriages conducted by Presbyterian ministers were invalid,** 2. **they could not worship in churches,** 3. **they could not maintain schools,** 4. **they could not hold a public office.**

The Scotch-Irish in America *did not forget* what it was like under The **Test Act of 1704**. This is evidenced by an article signed by some of them (including David Laird) and submitted to the **Virginia Gazette** in 1776. In it twenty-eight Scotch-Irish militia companies and freeholders signed a treatise disallowing the American constitution to have a "Test Act" incorporated into their constitution. The Gazette was an important newspaper and was read by many people of influence. It appeared on the **front page** of the newspaper in October 1776. Article Six of the United States Constitution is proof that they attained their goal. **That article "forbids a religious test as a requirement for holding a governmental position."**

"The Virginia Gazette

The Virginia Gazette was the first newspaper published in Virginia and the first to be published in the area south of the Potomac River in the colonial period of the United States. Published weekly in Williamsburg, Virginia between 1736 and 1780, *The Virginia Gazette* contained news covering all of Virginia and also included information from other colonies, Scotland, England and additional countries. As Williamsburg was the center of growing tensions in the Virginia Colony which led to the American Revolution, the newspaper was one of the centers of activity in the capital of Virginia, and dutifully published accounts." A copy of the treatise is on the next page and a transcription follows.

October 18, 1776

THE

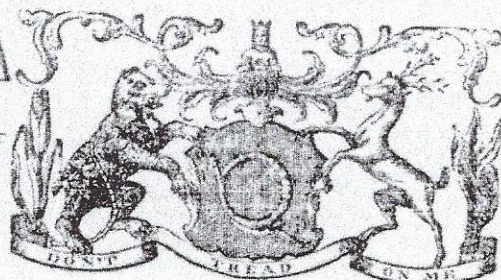
NUMBER 10.

VIRGINIA

GAZETTE.

ALWAYS FOR LIBERTY

AND THE PUBLICK GOOD.



Hijo HEAVEN 10 GRACIOUS ENDS direct the STORM!

The sentiments of the several companies of militia and freeholders of Augusta, in Virginia, communicated by the deputies from the said companies and freeholders to their representatives in the General Assembly of the commonwealth.

GENTLEMEN,

WE have chosen you at a very critical juncture to represent us in the General Assembly of our commonwealth, and need not tell you that we place great confidence in you. Your being elected by us, in such times as these, to an important place of trust, will sufficiently prove it, and show, at the same time, our respect for you, and the sense we have of your abilities and virtue.

Our independence on Great Britain, and every other nation, we are determined upon, without a nice calculation of costs; for if possible to effect and preserve liberty for ourselves and unborn generations, we think it will be a noble equivalent for much blood and treasure, and we trust a full balance of all our losses.

Attempts, unnatural, cruel, and unjust, to rob us of our most valuable rights and privileges, have roused almost all America to defend them, forgetting the illiberal treatment which a difference in religious sentiments, in some misguided places, has produced. All denominations have unanimously rushed to arms, to defend the common cause. Their unanimity has made them formidable to their enemies; their unanimity will be ever preserved by giving equal liberty to them all; nor do we crave this as the pittance of courtesy, but demand it as their patrimony, that cannot be withheld from them without the most flagitious fraud, pride, and injustice, which, if practised, may shake this continent, and demolish provinces.

This we think our representatives in Convention, last June, had fully in view. Besides other things, they declared, "that all men are equally entitled to the free exercise of their religion, or the duty they owe to their creator, and the manner of discharging it according to the dictates of their consciences." We take this to be the true and full meaning of their words, without any unjust view of favouring some to the hurt of others, and we view their declaration in this light as a most happy proof of their wisdom and virtue.

Hence men, how different soever in

gentlemen, as our representatives, most solemnly require you, and positively command you, that, in the General Assembly of this commonwealth, you declare it the ardent desire and unanimous opinion of your constituents, should such a declaration become necessary, that all religious denominations within this dominion be forthwith put in the full possession of equal liberty, without preference or pre-eminence, which, while it may favour one, can hurt another, and that no religious sect whatever be established in this commonwealth.

This, from its apparent tendency to promote, and most effectually to secure, the good of our country, we earnestly wish to see established; and we hope that the number of interested bigots, illiberal politicians, or of disguised enemies to the freedom and happiness of Virginia, will be too small and contemptible to prevent or obstruct a matter of such extensive utility, a matter so just that the contrary is most evidently iniquitous, destructive, and oppressive.

But, should the future conduct of our legislative body prove to you that our opinion of their wisdom and justice is ill grounded, then tell them, that your constituents are neither guided, nor will ever be influenced, by that slavish maxim in politics, "that whatever is enacted by that body of men in whom the supreme power of the state is vested must in all cases be implicitly obeyed," and that they firmly believe attempts to repeal an unjust law can be vindicated beyond a simple remonstrance addressed to the legislators.

These, gentlemen, are the sentiments with which we have been intrusted, by communicating of which we have discharged the duties of our deputation. Other things, how material soever they may be, are committed to your prudence, and unremitting care, to be managed conformable to the declaration of rights.

We are, for ourselves, and the companies and freeholders for whom we act, gentlemen, your most obedient humble servants,

John Magill. James Allen. George Moffett. David Laird. James Frazer. James Marshall. Walter Moffett. John Cunningham. Alexander Sinclair. James Bruster. John Poage. John Houghton. John Davis. Alexander Long. Christopher Graham. William M. Pheeters. Elijah M. Crenahan. Alexander Thompson. Archibald Alexander. David Gray. Robert

General Lee thinks it his duty, before his departure, to express the high confidence and affection of the colonels and officers of the battalions of South Carolina, both as gentlemen and soldiers; and begs leave to share them, that he thinks himself obliged to report their merits to the Continental Congress.

On Thursday the brigantine of war Comet, capt. Turpin, returned from a cruise, with the ship Clarissa, which he took lying at anchor off Augustine key, on the 28th of August. Her cargo consists of lumber, with about 40 negroes, and some household furniture, said to belong to a gentleman who was removing from Georgia to East Florida. The day before capt. Turpin's arrival he saw a frigate, which gave chase all that day, and part of the next, and came close into the land; but being considerably to leeward, and a dull sailer, could not come up with either the brig or her prize.

Camp near Seneca, August 18.

On the 12th instant col. Williamson came to Tomawler, where he saw signs of Indians very fresh; upon which he detached capt. Perkins and Anderson with 60 men to track them and reconnoitre, and major Downes went out with 20 men. Capt. Anderson, with 25 men, parted from capt. Perkins, and crossed a creek; soon after which capt. Perkins and his 25 men saw two Indians, and fired at them. The Indians set up the war whoop, and ran; the party followed, and were quickly met by a number of the enemy, supposed to be between 2 and 300, who engaged them very furiously. Major Downes fortunately came up in the rear; and capt. Anderson falling on the back of the enemy to the right, the firing was heard at the town. Col. Williamson immediately turned out with 150 men, who, coming close on the back of the enemy, made them quickly give way. The forwardest of their party being entirely surrounded, were mostly cut off; 16 were found dead in one valley, where the battle ended, whom our men scalped, but did not look any farther, as, being near sunset, they were called off by beat of drum. We had 2 killed, and 16 wounded; 3 of the latter died next day, among whom was capt. Lacey, a very brave officer, and a good man. So close was the engagement, that a stout Indian engaged a countryman of mine who was a good bruiser, and expect

Transcription of text on opposite page

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While we most pressing request you as individuals, or members of the same community, to use your best endeavours to promote the general good, we do,

Gentlemen, as our representatives, most solemnly require you, and positively command you, that, in the General Assembly of this commonwealth, you declare it the ardent desire and unanimous opinion of your constituents, should such a declaration become necessary, that all religious denominations within this dominion be forthwith put in the full possession of equal liberty, without preference or pre-eminence, which, while it may favour one, and hurt another, and that no religious sect whatever be established in this commonwealth.

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*(T Copy)
Walter Cunningham, clerk*

Ulster Scots people - From Wikipedia, the free encyclopedia

Ulster-Scots people or, outside the British Isles, **Scots-Irish**, are an ethnic group^[4] in Ireland, found mostly in the Ulster region. . . . Their ancestors were mostly Protestant Lowland Scottish migrants, the largest numbers coming from Galloway, Lanark shire, Renfrewshire, Ayrshire and the Scottish Borders, with others coming from further north in the Scottish Lowlands and, to a much lesser extent, from the Highlands. These Scots migrated to Ireland in large numbers both as a result of the government-sanctioned Plantation of Ulster, a planned process of colonization which took place under the auspices of James VI of Scotland and I of England **on land confiscated from members of the Gaelic nobility of Ireland** who fled Ulster and as part of a larger migration or unplanned wave of settlement.

The origins of the Scotch-Irish lie primarily in the Lowlands of Scotland . . . particularly in the Border Country on either side of the Anglo-Scottish border, a region that had seen centuries of conflict. In the near constant state of war between England and Scotland during the Middle Ages, the livelihood of the people on the borders was devastated by the contending armies. Over three quarters of those Protestant peoples who settled Ulster in the 1600's were Presbyterians from Scotland . . . Northern Irish Presbyterian families had been sailing from Ulster to America since the 1690's, **but in the year 1717** the trickle became a torrent. In a fifty year period in excess of 250,000 Scots-Irish Presbyterians had left Ulster to make a new home in America.

The Presbyterians encouraged their members to become educated to enable them to read the Bible. Although the Lowland Scots had a population of only about one million subjects, they had started five universities between 1418 and 1582. At first they were primarily for educating clerics and lawyers. After the Restoration in 1660, however, they began a lecture-based curriculum which offered a high-quality liberal education to the sons of the nobility and gentry. By 1700, the student body was more representative of society as a whole . . . at the beginning of the nineteenth century students attendance was less expensive; there was no entrance exam, students typically entered at ages 15 or 16, attended for as little as two years, chose which lectures to attend and left without qualifications. --From Wikipedia, the free encyclopedia.

According to the John Craig Centre, "In the 17th century a new factor was driving Scots away from their homes. Schools in Lowland parishes producing a literate population resulted in . . . a shortage of middle-class jobs and this caused many Scots to leave for the likes of England, to several of the Baltic States and to North America."

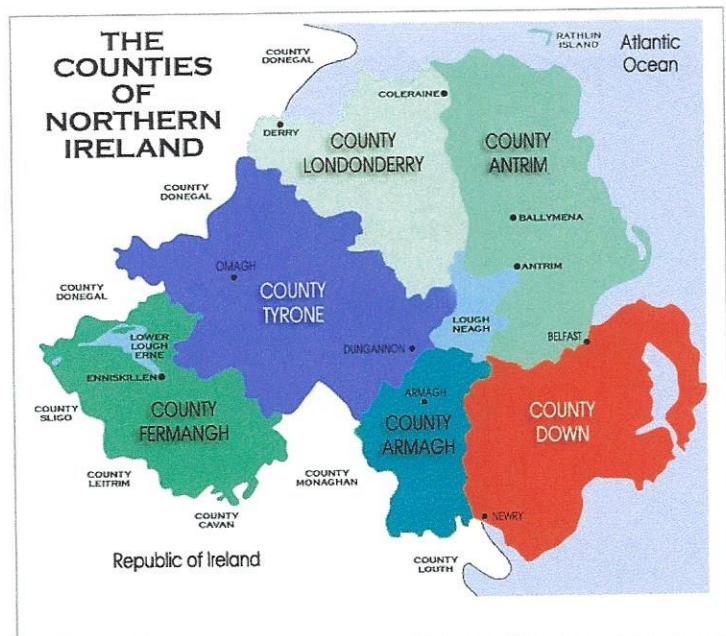
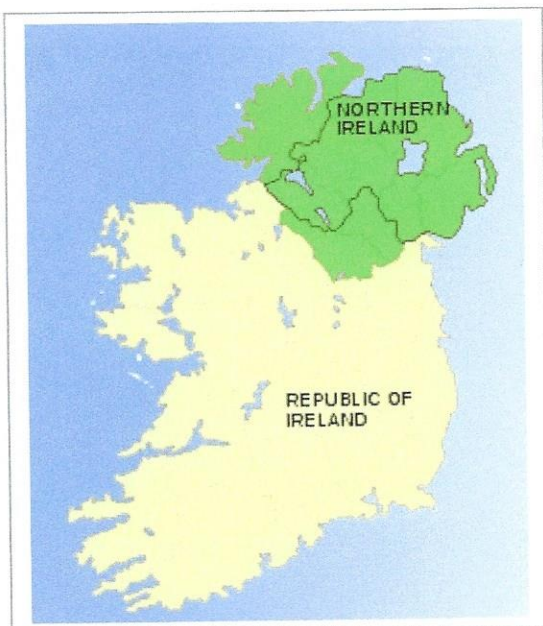
It seems that David Laird had a very good education—perhaps as a lawyer. There were five universities in Scotland which had started before 1600! They were all in the Lowlands. If David was born in Scotland, he would have had access to these universities. If he was born in Ireland, he was living among people who had no doubt attended one of the universities in Scotland.

The Scots-Irish settlers made superb frontiersmen in early Colonial America. Their experiences over the previous few centuries, first in the Scottish Borders and then fighting the Irish Catholics in the north of Ireland had created a race of hardy unyielding people who were ideally suited to clearing the forests to build farms and pushing the borders further and further west. Their experience of religious discrimination in Ulster by their Episcopal English landlords meant the Scots-Irish had no hesitation in taking the side of the rebels in the War of Independence. In the words of Professor James G. Leyburn "**They provided some of the best fighters in the American army. Indeed there were those who held the Scots-Irish responsible for the war itself**".

The Scotch-Irish were generally ardent supporters of American independence from Britain in the 1770s. In Pennsylvania, Virginia, and most of the Carolinas, support for the revolution was "practically unanimous". One Hessian officer said, "Call this war by whatever name you may, only call it not an American rebellion; it is nothing more or less than a Scotch Irish Presbyterian rebellion." A British major general testified to the House of Commons that "half the rebel Continental Army were from Ireland". Mecklenburg County, North Carolina, with its large Scotch-Irish population, was to make the first declaration for independence from Britain in the Mecklenburg Declaration of 1775.. The Scotch-Irish "Overmountain Men" of Virginia and North Carolina formed a militia which won the Battle of Kings Mountain in 1780, resulting in the British abandonment of a southern campaign, and for some historians "marked the turning point of the American Revolution".



Scotland



Part 2

Character & Accomplishments

Indentured servants vs. slaves

- a. In his May 17, 1778 petition to the Continental Congress, David said "Having some servants of my own that from the **treatment they received from me as a Master enlisted to serve under me as a Captain . . .**" Augusta County records prove that he did treat servants well.
- b. 1773 - "A memorandum of an agreement between David Laird, merchant of Augusta, and **Henry Mace, Blacksmith, formerly servant to said Laird.** Witnesseth: David has discharged Henry from remainder of his term on condition that Henry shall work under Laird's direction for country customers so as to work out £100 above his board . . . [Reference: Augusta County, Virginia Will Bk, v. 5, p.149.]
- c. One of the servants mentioned in David's petition to the Continental Congress was a saddler "hired for a **low rate** for one year". Although it might seem that he was also an indentured servant, he was not. Robert Cochran was the only saddler listed in the tax lists of Augusta County. Augusta records disclose that, as the eldest son of a relatively rich man, he had inherited considerable land. Robert was born in 1759 and his father died in 1765, so he would have been only six years of age-- not old enough to have control of his land. Soon after the father died, David's mother married Henry King and it appears he lived in the King household until he married. It was the custom at the time to "bind out" boys to learn a trade. He had obviously been "bound out" to learn the trade of saddler. In 1776, when he worked for David Laird, he would have been only seventeen years. Jane Laird, whom he later married would have been nine years. By the time they married, Robert had added considerably to his inheritance. Tax records show he owned 624 acres of land in 1787 when he married David's daughter, Jane, with her father's, consent. Robert was 28 years when they married; Jane was 21 years. Robert & Jane died within a few days of one another-- Robert 22 November 1824 and Jane in December 1824. They are buried in the Cochran-Stone Cemetery in Spencer County, Kentucky.

Note: The fact that he left his servants for a year without supervision and (since there are no legal records to indicate differently) they evidently were worthy of his trust and had a good working relationship with him. This also illustrates that he had wisely preferred purchasing the labor of servants rather than having slaves. It is inconceivable that he could have left slaves without supervision for a year in this manner.

David obviously preferred indentured servants over slaves for labor, and the Personal Property Tax Records of Augusta County prove that he had NO slaves from 1782 (when the lists started) to 1788. The same tax records show that he had two slaves (whether male or female is not shown) "under 16 years" from 1789 to 1792. The "under 16" are replaced with two slaves "over 16" (gender also not known) from 1793 until his death. It is likely that these slaves were house slaves and that some of them were there to assist David with his physical requirements as he mentions in his petition to the Virginia Legislature in 1786 that he is "a cripple." In an interview with Samuel Laird (David's son) by Lyman Draper, Samuel mentioned that "My father was afflicted with the Rheumatism".¹ For it to be mentioned specifically, it must have been devastating and he probably needed help with bathing, dressing, etc. If they could afford slaves, most men would probably prefer having these personal chores be accomplished by a slave, rather than by his wife and children.

The Virginia State Library has a collection of Chancery Records in their digital collections and these include information on at least one of the slaves. David had purchased a female slave named Kitty and her three children--Sally, James, and Anne--from a John Burton. There was a problem, however, as the slaves did not belong to John Burton; they were just on loan to him. David sold Kitty to John Walker in 1799. David died in 1800 and in 1801 John Walker requested a bill of sale from David's executors. They could not give him one, of course, because David never had one. Ann Laird, the widow, and Samuel Laird, David's son, as executors offered to give Mr. Walker the money he had paid plus some for his trouble, but he refused this. Mediators were engaged and the case was settled for approximately what had been offered.

¹ Lyman C. Draper (1815-1891) collected information on America's first frontier and its notable figures and events, such as Daniel Boone, George Rogers Clarke, and The Battle of King's Mountain. Draper's papers include a treasure trove of information on the frontier settlers of the Carolinas, Virginia, Kentucky, Georgia, Alabama, Tennessee, and Pennsylvania. The original papers are held at the Wisconsin Historical Society. They include thousands of handwritten letters of correspondence comprising nearly 500 volumes of information not available anywhere else about the pioneer settlers of the trans-Allegheny West.

Miscellaneous records concerning the early Laird families

Note #1: The first record we have of David Laird's family in America is found in the *Pennsylvania Archives, 3rd Series*, Vol 24, which contains the early Pennsylvania land grants. Recorded are patents for land grants in Lancaster County:

- (1) John Lard (Laird) patented 200 acres on July 5, 1745; in 1761, John Laird was the defendant in a suit brought in Augusta County, Virginia.
- (2) David Laird patented 50 acres of land in Lancaster County August 29 1747; in 1755 he owned land on Naked Creek in Augusta County.
- (3) James Laird patented 150 acres in Lancaster March 18, 1750; settled in 1760 at the base of Laird's Knob, eight miles east of Harrisonburg, Virginia.
- (4) James Laird recovered a judgment against Michael Garber in the Supreme Ct. of Pennsylvania for £50.10 in gold and silver. April and Jul Terms of Supreme Court – 1788. Deed recorded in Augusta County, Virginia.
- (5) David Laird, 300 acres including ye Mill Stone quarry, at ye foot of ye Peaked Mountain, near Divers land. July 29, 1758, page 95. [Augusta County deed]

Note #2: Since the Scots were often educated planters in the Chesapeake region frequently hired them as tutors, although they groused at having their children acquire a Scottish accent. The Journal kept by Lerwick émigré John Harrower who served a four-year indenture as a schoolmaster in Virginia, illuminates this world. At William and Mary, young Thomas Jefferson fell under the sway of Aerdonian William Small, **to whom he was ever grateful**. We know David Laird would have qualified as a tutor. We don't know if he came over as an indentured servant, but if he did, it would seem likely he would have been a sought-after tutor. And, if he had been indentured himself, it would be a positive reason for him to treat his indentured servants well.

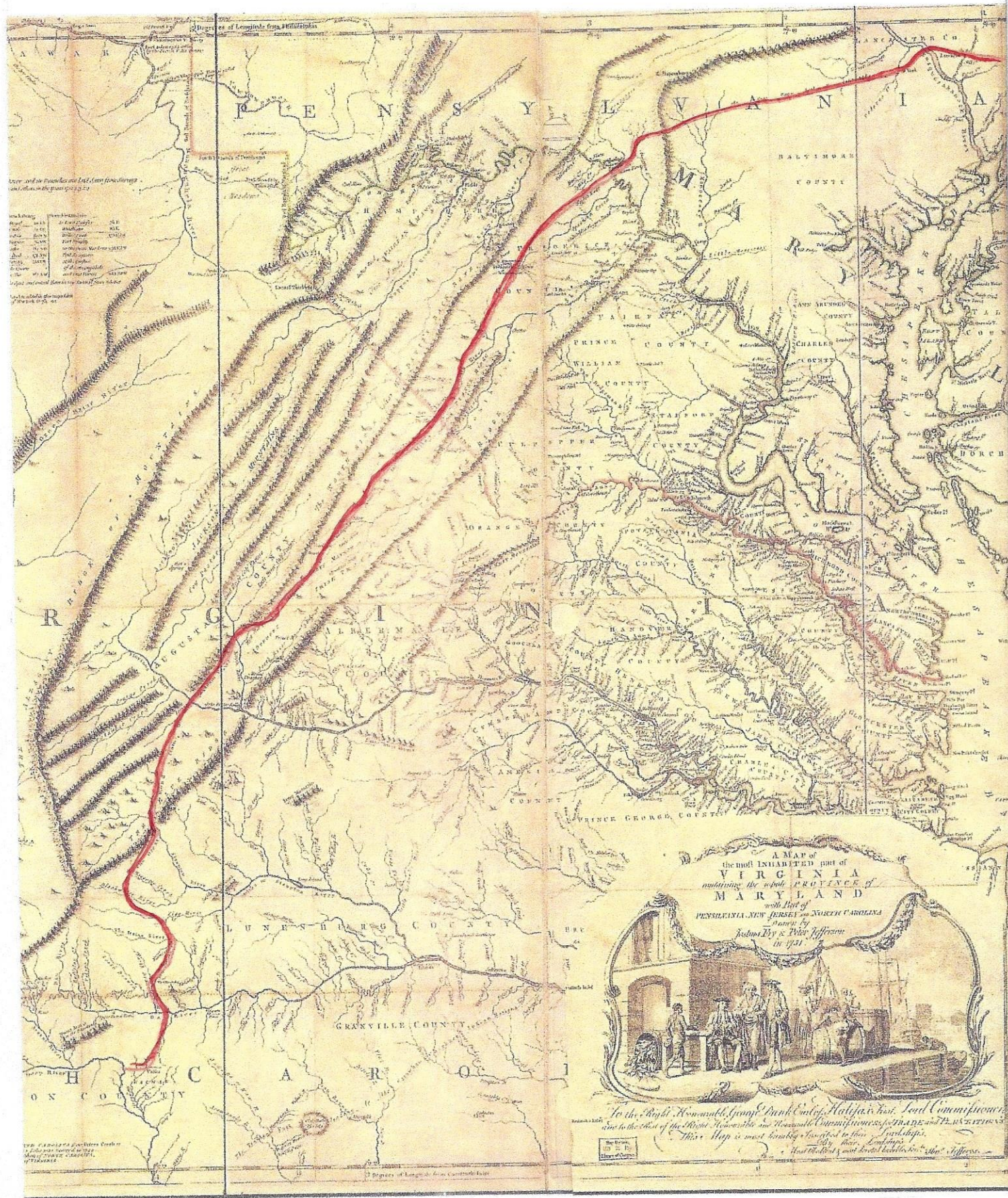
Note #3: Contemporaries were well aware of this Scots and Scotch Irish migration to the Colonies. As James Logan, chief advisor to Pennsylvania proprietor William Penn once observed: It looks as if Ireland [i.e. Ulster] is to send all her habitants hither; for last week not less than six ships arrived and every day two or three are coming." These Presbyterians, the Quaker Logan continued, were "audacious and disorderly", they were "troublesome settlers to the government, and hard neighbors to the Indians."

Note # 4: I am not sure the James Logan mentioned above was related to the Logans who settled in Augusta County and later were prominent in the early settlement of Kentucky. The most prominent member of the Kentucky family was Benjamin Logan whose father was David Logan. According to "*Benjamin Logan: Kentucky Frontiersman*" by Charles Gano Talbertz [University of Kentucky Press. Kentucke Imprints, Berea, Kentucky, 1976] :

"David Logan first appeared in the court records of Orange County, Virginia, on June 22, 1738, when he was one of the defendants in a libel suit brought by a Presbyterian minister, William Williams. On May 22, 1740, Logan, Alexander Breckinridge, and twelve other heads of families were present at a session of the Orange County Court. Here he testified that **he had brought himself, his wife, and his oldest two children from Ireland** to Philadelphia and on into Virginia at his own expense. He took an oath to the effect that this importation had not on any previous occasion been used for obtaining land. Additional land in Virginia's Great Valley was purchased by the David Logan on November 26 1742, from the original grantee, Jost Hite. This tract of 860 acres lay on the west side of Buffalo Meadow. Thus it was on the waters of the Shenandoah and near a tributary of its south fork called North River that the fifth child and second son of David and Jane Logan was born . . . Benjamin [was baptized] on May 1, 1743 . . . Early in 1757, David Logan died. Benjamin, the oldest living son, was not quite fifteen years of age . . . When Benjamin Logan became of age, he as the eldest son inherited the entire estate of his father. Because the land was not subject to division, he sold it and shared the proceeds with the other members of his family. He then purchased 160 acres of land on North River near the mouth of Cook's Creek."

Cook's Creek was just a short distance from where David Laird lived. Benjamin and David were about the same age and both attended the Old Stone Church, so they knew each other well. Although David never made it to Kentucky, when he decided he wanted to buy land there, he evidently contacted his old friend and asked him to locate 1,000 acres. Benjamin took out a grant for him for that amount in Lincoln County. David's will mentions that Benjamin Logan had done this when he bequeathed it to his children. It is possible that David purchased this Kentucky Land with certificates he received as a result of property of his which was impressed. A law passed in November 1781 titled "An Act for calling in and funding the paper money of this state" provided "That any person possessed of, or holding any money emitted by congress, or by this state, shall be at liberty to lay out the same in the purchase of warrants for unappropriated lands . . . [Henings Statutes. Vol. 10, p. 457.] Indeed astute people were doing this as the depreciation of paper money had gone to 1000:1 by Dec. 1781. [Vol. 10, p. 465.]

Note # 5: James Laird and his sons first lived in Lancaster County, Pennsylvania, following the path of the majority of the Scotch immigrants who first settled in Pennsylvania—primarily in Chester and Lancaster Counties. These migrants followed the **Great Wagon Road** (see following page) from Lancaster, through Gettysburg, and down through Staunton, Virginia. . . with the Wilderness Road taking settlers west into Tennessee and Kentucky.



The above is a section of The Fry-Jefferson Map of Virginia which was commissioned by the governor of Virginia in 1749. Joshua Fry and Peter Jefferson (father of Thomas) were experienced surveyors. It clearly shows (in red ink) the Great Wagon Road thousands of Scotch-Irish immigrants traveled from Pennsylvania to Virginia and points further south..

French & Indian War

The French and Indian War (1754-1763) was a colonial extension of the Seven Years War that ravaged Europe from 1756 to 1763, was the bloodiest American war in the 18th century. It took more lives than the [American Revolution](#), involved people on three continents, including the Caribbean The war also had subtler results. It badly eroded the relationship between England and Native Americans; and, though the war seemed to strengthen England's hold on the colonies, the effects of the French and Indian War played a major role in the worsening relationship between England and its colonies that eventually led into the Revolutionary War. –

SparkNotes → History Study Guides → The French and Indian War (1754-1763)

Proof that David served:

Ecklenrode, H.J. pg. 11 - "The Virginia regiment, composed largely of borderersIn 1756 Virginia sent the "Sandy Creek expedition" against the Shawnees on the Ohio. Major Andrew Lewis was in command, and under him were Captains William Preston, Peter Hogg, John Smith Archibald Alexander, Breckenridge, Woodson, and Overton, besides volunteer companies under Captains Montgomery and Dunlap and a handful of Cherokee Indians. The whole force amounted to 340 partly of the Virginia regiment and partly militia and volunteers. Men. [One of them was David Laird who was a member of Peter Hogg's militia]. The expedition proved a failure, and the troops nearly died of hunger." [Campbell's History of Virginia. pg. 417].

[Hening's Statutes at Large: being a collection of all the Laws of Virginia. University Press of Virginia. Charlottesville. Repr. 1969. Vol. 7, pg. 184, Act September 1758 - 32nd George II - 30 shillings due David Lard [Laird] for service in militia of Augusta County.

[Chronicles of the Scotch-Irish Settlement of Virginia, by Lyman Chalkley, Vol 2, pp 15.
Pg 366 - 1780-March 28th, David Laird proved he served as Corporal in Captain Hog's Company Rangers from its raising in 1757 until disbanding at Bedford. George Huston qualified Captain. Jacob Pence proved he served as soldier in Captain Hog's Company.

Lord Dunmore's War

Lord Dunmore asked the Virginia House of Burgesses to declare a state of war with the hostile Indian nations and order up an elite volunteer militia force for the campaign. The conflict resulted from escalating violence between British colonists, who in accordance with previous treaties were exploring and moving into land south of the Ohio River (modern West Virginia, Southwestern Pennsylvania and Kentucky), and American Indians, who held treaty rights to hunt there. As a result of successive attacks by Indian hunting and war bands upon the settlers, war was declared "to pacify the hostile Indian war bands." The war ended soon after Virginia's victory in the Battle of Point Pleasant on October 10, 1774.

Dunmore's War – was a 1774 conflict between the Colony of Virginia and the Shawnee and Mingo American Indian nations. The Governor of Virginia during the conflict was John Murray, 4th Earl of Dunmore – Lord Dunmore. He asked the Virginia House of Burgesses to declare a state of war with the hostile Indian nations and order up an elite volunteer militia force for the campaign.

Proof that David Laird served:

History of the Battle of Point Pleasant [:] Fought Between White Men and Indians at the Mouth of the Great Kanawha River, Monday, October 10th, 1774. Virgil A. Lewis, A.M. Charleston, The Tribune Printing Company, West Virginia.
pg. 50 - "Virginians Wounded in the Battle": "Lieutenant David Laird, of Augusta County Regiment"*

The Scotch-Irish were perceived to be fighters and David lived up to that perception. He served as a corporal in the French & Indian War—this helps us in estimating his birth date. The war started in 1756 and he would have had to be at least 16 to be recruited which means he had to have been born in 1740 or earlier. Since it seems they would not have made a soldier under the age of 18 a corporal, so tends to place his date of birth by 1738. He would then been about 36 years when he was wounded in Lord Dunmore's War.

Battle of Brandywine

From Wikipedia, the free encyclopedia

The **Battle of Brandywine**, also known as the **Battle of Brandywine Creek**, was fought between the American army of General George Washington and the British army of General Sir William Howe on September 11, 1777. The British Army defeated the American Army and forced them to withdraw toward the American capital of Philadelphia. More troops fought at Brandywine than any other battle of the American Revolution. It was also the longest single-day battle of the war, with continuous fighting for 11 hours.

Howe's army departed from Sandy Hook, New Jersey, on July 23, 1777, and landed near Elkton, Maryland, in northern Chesapeake Bay.¹ Marching north, the British Army brushed aside American light forces in a few skirmishes. Washington offered battle with his army posted behind Brandywine Creek. While part of his army demonstrated in front of Chadds Ford, Howe took the bulk of his troops on a long march that crossed the Brandywine beyond Washington's right flank. Due to poor scouting, the Americans did not detect Howe's column until it reached a position in rear of their right flank. Belatedly, three divisions were shifted to block the British flanking force at Birmingham Friends Meetinghouse and School, a Quaker meeting house.

After a stiff fight, Howe's wing broke through the newly formed American right wing which was deployed on several hills. As Washington's army streamed away in retreat, he brought up elements of Nathanael Greene's division which held off Howe's column long enough for his army to escape to the northeast.

Battle of Germantown

From Wikipedia, the free encyclopedia











The **Battle of Germantown**, a battle in the Philadelphia campaign of the American Revolutionary War, was fought on October 4, 1777, at Germantown, Pennsylvania between the British army led by Sir William Howe and the American army under George Washington. The British victory in this battle ensured that Philadelphia, the capital of the self-proclaimed United States of America, would remain in British hands throughout the winter of 1777–1778. Now part of the city of Philadelphia, Germantown was an outlying community in 1777

Learning of the division of the British army, Washington was determined to attack it. The American plan called for four columns to converge on the British position at Germantown. The right and left flank columns were composed of 3,000 militia, while John Sullivan's center-right column, Nathanael Greene's center-left column, and William Alexander, Lord Stirling's reserve were made up of American continentals (regulars). After a sharp fight, Sullivan's right-center column routed the British light infantry opposed to him. The men of Sullivan's wing became demoralized when they ran low on ammunition and heard cannon fire behind them. As they pulled back, Anthony Wayne's division collided with part of Greene's late-arriving wing in the fog and, after firing on each other in the gloom, both units retreated.

Despite the defeat, the Americans were encouraged by their initial successes. France, impressed by the American victory at Saratoga and the attack at Germantown, decided to lend more assistance to the rebellion. Having repelled the American attack, Howe turned his attention to clearing the Delaware River of obstacles at Red Bank and Fort Mifflin. After an unsuccessful attempt to draw Washington into battle at White Marsh and Edge Hill, Howe withdrew into Philadelphia while the American army wintered at Valley Forge.

Date	September 11, 1777
Location	Chadds Ford Township, Delaware County, Pennsylvania, United States British victory ^[1]

Commanders and leaders

 George Washington	 Sir William Howe
 Nathanael Greene	 Charles Cornwallis
 John Sullivan	 Wilhelm von Knyphausen
 Lord Stirling	
 Adam Stephen	
 Anthony Wayne	
 Moses Hazen	

Strength

14,600^[2]

15,500^[2]

Casualties and losses

Total: 1300
300 killed
600 wounded
400 captured^[3]









Total: 587
93 killed
488 wounded
6 missing^[3]

Date	October 4, 1777
Location	Germantown, Pennsylvania
Result	British victory ^[1]

Belligerents

 Unit.	 Great Britain
 2nd Canadian Regiment	 Hesse-Kassel

Commanders and leaders

 George Washington	 William Howe
 Nathanael Greene	 Charles Cornwallis
 John Sullivan	 Wilhelm Knyphausen
 William Alexander	
 William Smallwood	

Strength

11,000^[2]

9,000^[3]

Casualties and losses

152 killed^[4]
521 wounded^[4]
438 captured^[5]

71 killed
448 wounded
14 missing^[6]

Synopsis of Capt. David Laird's Muster Rolls - Feb 1777 to Feb 1778

	Name	Rank - Feb 1777	Pay - Feb 1777	July 1777	Aug 1777	Sept 1777	Dec 1777	Jan 1778	Notes
	Laird, David	Capt.	40	x	x	x	x	x	Dismissed Jan 13
	Lamme, Nathn.	Lt.	27	x	x	x	x	x	Lt
1	Adams, Thomas	Pvt	6 ³ / ₈	x	x	x	x	x	C'd [killed?] Jan 78
2	Arkell, Edward (Askell?)	Pvt	6 ³ / ₈	x	x	x	x	x	
	Ashford, James	Corpl?	7 ¹ / ₃	x	x	x	x cpl	x	Pt of Drum Corp?
3	Bains, John	Pvt	6 ³ / ₈	x	x	x	x	x	
4	Bagwell, William	Pvt	6 ³ / ₈	x	x	x	x	x	
5	Bartly, James (Barett?)				x	x	x	x	Corpl. Aug 77
6	Barett, James	Pvt	6 ³ / ₈	x					
	Becker?, Agustin (see Pecker)								
7	Beret/Barret?, John		8			x	x Sgt	x	Deserted Jan
8	Bignall, George [Bigonal]	Pvt	6 ³ / ₈	x	x	x	x	x	On duty Jan 1778
	Black, Ceaser	Drum	7 ¹ / ₃	x	x	x	x	x	Drummer
9	Brookfield, Joseph	Pvt	6 ³ / ₈	x			x		
10	Bromly, John	Pvt	6 ³ / ₈	x	x	x	x?		
11	Burch, Wm.				x	x	x		
12	Burns, Daniel				x	x			prisoner Sept 77
13	Burrel, George (or Burl)	Pvt	6 ³ / ₈	x	x	x	x	x	
14	Butters, James	Pvt	6 ³ / ₈	x	x	x	x		
15	Cain, Patrick							x	C'd [Killed?]
16	Cain, Thomas	Pvt	6 ³ / ₈	x	x	x	x	x	
17	Campbell, Collin	Pvt	6 ³ / ₈	x	x	x	x	x	
18	Cheruround?, John	Pvt	6 ³ / ₈	x			x		
19	Church, John				x	x	x	x	In hosp. Jan 78
20	Clack, Moses				x	x	x		In hosp. Jan 78
	Clough, John	Sergt	6	x	x	x	x Sgt	x	
21	Collins, Richard				x	x			deserted Sept 14
	Conor, John	Fife	7 ¹ / ₃	x	x	x	x fife	x	Fifer
22	Coolantz, Andrew				x				deserted Aug 7
23	Cope, Thos				x	x	x		In hosp. Jan 78
24	Davis, Isaac	Pvt	6 ³ / ₈	x	x	x	x		In hosp. Jan 78
25	Davis, Thomas	Pvt	6 ³ / ₈	x	x	x	x	x	In hosp. Jan 78
26	Douglas, Henry				x				deserted Aug 7
27	Dowland, Michal				x				
28	Duffy, Thomas	Pvt	6 ³ / ₈	x	x		x		
29	Dunn, James	Pvt	6 ³ / ₈	x	x	x	x	x	absent wo/leave
30	Elliott, William	Pvt	6 ³ / ₈	x	x	x	x		
31	Evans, William				x	x	x	x	Ensign - Aug 77
32	Fitspatrick, Barnit				x	x			deserted Sept 5
33	Fletcher, Isaack				x	x	x		
34	Forehand, Robert				x	x			
35	Gay, Charles	Pvt	6 ³ / ₈	x	x	x			prisoner Sept 77
36	Gibson, John	Pvt	6 ³ / ₈	x	x				
37	Graham, James				x				
38	Grimes, William (Graham)	Pvt	6 ³ / ₈	x	x	x	x	x	
39	Hacket, Thomas				x	x			deserted Sept 5
40	Haywood, Joseph	Pvt	6 ³ / ₈	x			x		
41	Keaton, John	Pvt	6 ³ / ₈	x	x	x	x	x	C'd [Killed?]
42	Kelly, James				x	x			
43	Lamb, John (Lamm)				x	x			killed Sept 11
44	Masy, Peter				x	x			
	Masy, Philip	Corpl	7 ¹ / ₃	x	x	x	x cpl		On furlough - corpl
	McColough, Wm.	Corpl	7 ¹ / ₃	x	x	x	x cpl		Corp. Aug 77
45	Magahy, John				x	x	x		
46	Maiden, James			x	x	x	x		deserted Jan 78
47	Maiden, Miles					x	x?		In hosp. Jan 78
48	Meadows, Frank	Pvt	6 ³ / ₈	x	x	x	x	x	
49	Merideth, John	Pvt	6 ³ / ₈	x	x	x	x	x	C'd Jan 78

	McColough, Wm.	Corpl	7 ^{1/3}	x	x	x	x cpl		Corp. Aug 77
45	Magahy, John				x	x	x		
46	Maiden, James			x	x	x	x		deserted Jan 78
47	Maiden, Miles					x	x?		In hosp. Jan 78
48	Meadows, Frank	Pvt	6 ^{3/8}	x	x	x	x	x	
49	Merideth, John	Pvt	6 ^{3/8}	x	x	x	x	x	C'd Jan 78
50	Might, John (or Mite)	Pvt	6 ^{3/8}	x	x	x	x	x	___ Jan 78
51	Miller, John				x	x	x		In hosp. Jan 78
52	Mills, George	Pvt	6 ^{3/8}	x	x	x	x	x	
53	Murden, James	Pvt	6 ^{3/8}	x					
54	Nail, Hugh	Pvt	6 ^{3/8}	x	x	x	x	x	
55	Noble, James	Pvt	6 ^{3/8}	x	x	x	x	x	
56	Ogden, John				x	x			
57	Pecker (Becker?), Agustin	Pvt	6 ^{3/8}	x	x	x	x	x	___ Jan 78
59	Potter, William	Pvt	6 ^{3/8}	x		x	x	x	on furlough - sergt?
60	Powell, William (or James?)				x	x	x Sgt	x	sergt - Aug 1777
62	Roberts, David				x	x			
63	Rooke, Nicholas	Pvt	6 ^{3/8}	x	x		x		deserted Aug 7
64	Shearman, John	Pvt	6 ^{3/8}	x	x	x	x	x	prisoner Jan 78
65	Shillinger, Geo.				x	x			prisoner Sept 77
66	Smith, James	Pvt	6 ^{3/8}	x	x	x	x	x	On furlough
67	Spaldin, Andrew					x			
68	Todd, Mathew	Pvt	6 ^{3/8}	x	x	x	x	x	
69	Trenton, Thomas	Pvt	6 ^{3/8}	x	x	x	x	x	
70	Viah, Reubin	Pvt	6 ^{3/8}	x	x	x	x	x	
71	Welsh, Andrew	Pvt	6 ^{3/8}	x	x	x	x	x	C'd Jan 78
72	White, Michal				x	x	x	x	In hosp. Jan 78
73	Williams, Christ.				x	x	x	x	In hosp. Jan 78
74	, John	Pvt	6 ^{3/8}	x	x	x	x	x	

* Those who are hi-lighted in light blue are the original enlistments--there were 40 of them and they were all present in the July muster. The men who are hi-lited in red came in between the July & August muster. Were they from another company? A large number of these recent volunteers (recruits?) either had deserted, been killed, or were in the hospital by the January 1778 muster.

Contemporary Documents of a Captain in the Continental Army

David Laird knew what serving in an army was like when he volunteered to serve in the Revolutionary War for he had served as a corporal in the French and Indian War¹ from 1757 to 1763; also as a lieutenant in "Lord Dunmore's War."² He was a Scotch-Irish immigrant who truly earned the name of "Fighting Irish." His family settled in eastern Pennsylvania in the 1740s then moved to Augusta County, Virginia in the 1750s so he was living "where the action was" during the French & Indian War. Besides participating in both those wars, he held the position of captain of the militia of Augusta County at the time he was given the same position in the Continental Army.

It was an honor to be chosen as a captain for the Continental Army, but no doubt many of those captains—like David Laird of the 10th Regt, Augusta County—found serving their country personally cost them a great deal. First hand records describing problems are few. The ones entered here are available only because they were sent to agencies who kept such documents i.e. the Continental Congress and to the Virginia Legislature.

What did the duties of a captain in the Continental Army entail? His first duty was to recruit 74 men who would be serving under him. The 74 men were **not** standing at attention waiting for a leader. Rather, they were to be enrolled by their officers-to-be: the captain's quota was 28; 1st lieutenant was to enlist 20 men; 2nd lieutenant – 16 men; and each ensign – 10 men.³ These officers were competing against one another in trying to reach these goals. David found the requirement to enlist 28 men quite difficult so he resorted to enlisting men who were indentured servants—paying their masters for whatever time was left of their servitude. This method of recruitment was being used by others and **was approved** as a method of recruitment in two separate laws.⁴ It became a major item of discord for him because the freed servants had signed contracts agreeing to pay him back out of their earnings. At the time David Laird made the contracts, the procedure was to give the salary of the recruits to the captain and let him distribute it to his men, thus David would have been able to take out a portion of what was owed him before giving the balance to the soldiers. Within a few months, this method of paying privates changed so that the soldiers received their money from a third party who gave the soldier his entire amount due, leaving it to them to contribute some of it towards their debt. They were not living up to their pledges.

The lack of receiving reimbursement by the men whose freedom he had paid for, and of the army to help him in recovering this, was the largest claim he made, but not the only one. In his first petition [written May 15, 1778 and entered on pages 156-57 in the Continental Papers], he itemized them as follows:

1. Not paid for cost of recruitment and subsistence for the men recruited
2. Not reimbursed for money he had paid on a £50 bond on a recruit of his first lieutenant's
3. Due for 3 wagons taken in service and not yet paid for
4. Auditors have not paid him [his salary]
5. Expenses for horses and himself due to his having been retained in Pennsylvania for four months while the Continental Congress has not paid him what he is owed . . . and he has **"not the least hopes of obtaining."**

The second petition [written May 18, 1778; entered on pages 154-55], he relates.

1. Lists what he owned when he volunteered "at the hazard of his little estate."
2. Complains about lack of payment by servants
3. Mentions death of some of them; only six now alive

The third petition [1780] involved a completely separate matter—payment for beef cattle he had driven from Virginia to Philadelphia..

¹ Crozier, William Armstrong. *Virginia Colonial Militia, 1651-1776*. p. 51. Genealogical Publishing Company, 1965. "David Laird, Corpl. In Capt. Hogg's Company of Rangers in 1757 until it was discharged at Bedford [County, VA] Rockingham Co., March 28 1780. [This was a claim for bounty land for his service.] Also, Hening, Wm. Waller. *The Statutes at Large; a Collection of all the Laws of Virginia* . . . Vol. __, p. 1799-184. Militia of County of Augusta . . . Provisions furnished by sundry Inhabitants [for French & Indian War] . . . 1758, To Robert Homes, Daniel Evens, **David Laird**, 30 s. each.,

² Lewis, Virgil A., *History of the Battle of Point Pleasant . . . Fought between white men and Indians at the mouth of the Great Kanawha River, Monday, October 10th, 1774 – the chief event of Lord Dunmore's War*. [It was the ONLY battle of the war, so unless you live in Virginia, you probably haven't heard about it.] p. 50. "Virginians Wounded in the Battle: Lt. David Laird, of the Augusta County Regiment."

³ Hening – Volume 9, p. 193. Laws of Virginia – Chap. 13. An Act for making a farther provision for the internal security and defense of this country ."

⁴ Hening – Volume 9, p. 12. July 1775. Title: An ordinance for raising and embodying a sufficient force for defense and protection of this colony. "That no recruiting officer shall be allowed to enlist into the service any servant . . . **unless** the consent of his master be first had in writing." Also, Volume 9, p. 275. May 1777 – Chap. II. An Act for the more speedily completing the Quota of Troops to be raised in this commonwealth for the continental army . "[. . . it shall be lawful for every recruiting officer to enlist all able bodied young men above the age of sixteen years, any apprentice or servant, except hired servants (**unless permission given in writing**) from the owner.

Introduction to David Laird's Petitions to the Continental Congress

15 May 1778 - Pages 156a, 156b and 157a, 157b -

18 May 1778- Pages 154a, 154b, and 155

29 November 1780 - page 228 (about cattle)

Few people find documents written by an ancestor living during the Revolutionary War period. The descendants of David Laird are very fortunate in having four such documents—three written to the Continental Congress and one to the Virginia State Legislature. These include information about his life which would never otherwise have been known. They provide a personal glimpse into history. The letters show that he had an unusual command of the English language and their eloquence indicates that he was educated far above the norm of that time. By comparing the handwriting in the body with the signature, one can tell the body of the letter was written by David—he had not just signed them. There is a good chance that David Laird's antecedents were of the gentry class in Scotland as the name "Laird" meant "Lord." It is likely that he was descended from the landed class in Scotland¹ and was one of Scotsmen who moved from Scotland to Ireland (thus were called Scotch-Irish). They had been landowners in Scotland and were willing to risk migrating to America in hopes of being a landowner again. David attained that goal!

It is noteworthy that David was at Valley Forge during that memorable winter of 1777/8. He met the Marquis Lafayette and George Washington. Exactly what occurred to prompt his dismissal is a matter of speculation. In the Order Book that records David Laird's punishment by cashiering him, a Capt. Flagg was charged with precisely the same thing, and he was NOT dismissed.² A later record provides the answer: David Laird was NOT cashiered for "failing to challenge LaFayette as it appeared in this memorandum, but for acting in a manner unbecoming the character of an officer and a gentleman."³ This is proven in the record of John Rust. The charge against Lt. Rust was that he had "[1] Abusively aggravating said Broadwater to strike him, [2] for getting drunk, [3] playing cards and [4] beating Captⁿ. Laird on the Sabbath day while he, the said Capt. Laird, was under arrest for having been found guilty of a breach of 21st Article 14th Section of the Articles of War³, also of a breach by General Orders and sentenced to be discharged from the Service." After studying the records and recognizing the vexation of David for not getting any satisfaction for the large amount of money owed, I am of the opinion that he told his commanding officer that (as a current song says) he could "take this job and shove it!" That would be "unbecoming the character of an officer and a gentleman."

Reading the petitions reveals that David was very frustrated about his inability to collect the money owed him. It seems that *everyone*—from the servants whose terms of servitude had been paid by him with the stipulation that it was to be repaid him out of their salaries and General Weedon—who had become his commanding officer—was against him. He stated in one of his letters that when he left home he had a "year's supply" of leather for his four shoemakers and one saddler. That year was up! He had already lost a substantial amount of money and would lose even more if he didn't go home and garner more supplies. Perhaps the wound that he got in Lord Dunmore's War was causing physical pain? By 1786, he wrote "I am a cripple . . ." and according to David's son Samuel Laird, his father was "afflicted with rheumatism."⁴

Those letters written to the Continental Congress were not to argue about his discharge. Rather, they were an attempt to receive restitution for the expenses incurred in getting his company together, for paying for their sustenance out of his own pocket, and for three wagons personally owned by Capt. Laird which had been taken by the army⁷. They disclose his financial circumstances before he became a participant in the war. In one of the letters, he mentions, with quite a lot of pride, what he owned at the time he enlisted. Indeed he had accumulated a lot by the time he was forty years. It is interesting to note that while most of his wealthy neighbors owned slaves, David preferred to purchase servants to provide the labor he needed.

The third petition tells us that David remained a patriot. Knowing that the soldiers were in need of food, he evidently contracted with the quartermaster, Ephraim Blaine, to provide beef for the army. He then went back to Augusta County, Virginia and, with two other men, drove a herd of 51 cattle 300 miles from Virginia to Philadelphia—only to find that didn't work to his advantage, either! Evidently, the government had no money to pay for them—but they took the cattle.

¹ Definition—from Wikipedia, the Internet encyclopedia : "A Laird is a member of the gentry; historically Lairds rank below a Baron and above an Esquire in the non-peerage table of precedence in the Statutes of 1592 and the Baronetcy Warrants of King Charles I. The title is granted to the owner of a landed estate in the United Kingdom. *Laird* is a shortened form of 'laved', which is an old Scottish word deriving from an Anglo-Saxon term meaning 'Lord' "In the 15th Century the title was used for land owners holding directly of the crown, and therefore were entitled to attend parliament. Lairds reigned over their estates like princes, their castles forming a little court . . . Though translated as *Lord* and signifying the same, Laird is not a title of nobility. The 'title' of Laird is a 'corporeal hereditament' (an inheritable property that has an explicit tie to the physical land), i.e. the title can not be held in gross, and can not be bought and sold without selling the physical land."

² Fitzpatrick, John C., Ed. *The Writings of George Washington* Bicentennial Commission. Under authority of Congress. U.S. Govt Printing Office. 1931 Vol 10, Nov 4, 1777 – Feb 28, 1778. Court Martial of Capt. Laird, pg. 298

³ Article 21, Section 14 states: "Whatsoever commissioned officer shall be convicted, before a general court-martial, of behaving in a scandalous, infamous manner, such as is unbecoming the character of an officer and a gentleman, shall be discharged from the service."

⁴ Draper Manuscript Collection. (At Wisconsin Historical Society). 11CC188,190. Interview with Samuel Laird, Fayette County, KY.

To the Right Honourable and worthy gentlemen Members of the Board of the Congress of New England 156

Yours humble petitioner looking upon himself greatly aggrieved and injured does leave to lay before
your Honours such a part of the grievances as he is under the necessity of mentioning that you
in your Exalted Stations of Life may be so far as to spend a few moments in looking into
on the more than commonly unfortunate situation of the Soldier who can make it appear that from
his youth up he has served his country to the utmost of his ability and by merit alone risen to that of being
appointed a Captain in this most glorious cause in which I hoped in some future Day to Contemplate with
my fellow Sufferers that our Services had not altogether been fruitless in doing but my being Debarred
from the Service by Shortage of and agreeable time as they were pleased to give me has robbed me of that
Comfort that I might have hereafter enjoyed, but as it is necessary to make some Example I do sincerely
with that of this Man have a proper tendency to a true Discharge of Duty by every possible means
The Service of these States, but to Complain gentlemen I shall be so far as to show you the numerous Incon-
veniences I have suffered in the Service but to begin the same way of Proceed-
ing I have attended to draw four Months pay for a long Campaign which I had raised the most Consider-
able of my self as also found some Substances from time of Discharge until now which as also had
Demanded considerable Sums for many who were entitled upon that promise that I should receive in my hand
such and such Sums as would pay me as they earned it but a payment being appointed to the third of June
I had nothing more to do but to take up my pay and Substances that I had paid for a part of the
and give the States Receipt for what money I had paid which I did and hoped at least to have a part of the
money that I had advanced I paid in the States and this Substance but the said payment was
not paid me a single Shilling without a positive order from each person to whom which when I received
of those whom I had taken the Note for I found they would give no order but Demanded both pay and
a balance money both of which I had paid and advanced and had my accounts to produce to them
but although I attested that my Receipts and accounts should at least be good for the same before his appointment
and discharged them from paying them the said it and even in my case I have this position as to the
Satisfaction of the States which as an officer I cannot get the payment to obtain or the hundredth
part of the balance that I am to get which is such a great hardship not only I have it in my power
except some act is made to be paid a Soldier to pay his just Debt and a payment to obtain for his
Share but more that even the case as now stands is months done I have advanced the money I have
and and some debts which makes it out of my power to be able to make my self safe -
to complete my first Lieutenant I paid of more than one who after receiving the Bounty would not
appear in battle I would give him my Bond payable at the Discharge of one year or for fifty pounds in case
he did not procure his Discharge the said I did from the consideration that I would have a chance
of getting a man as good as the whom I could substitute in his Room and thought at most I could
not lose more than twenty Dollars and to make my self as I thought safe and sure in that point
after the whole Indenture was made up I signed the Bond for pains in procuring a Number of men
as my own Discharge and expense four of which are now living in Camp one of which I thought might
be done to have been substituted in the Room of the man to whom I had given my Bond but when I
applied to General Mendenhall he would not permit the Soldier then applied for a Substitute to which he obtained
within days - more time than he applied for and the advice of Genl Mendenhall to put the Bond on foot
against me immediately and that Effectually the whole Bond the Soldier has since sold for three
the sum it contained on thing I can and that a Captain French Rank of the by collecting persons
near which now I have obtained Discharge without having any substituted in his Room perhaps
gentlemen when you deliberately consider the Matter and can see what I need is that fact
you will grant me the Liberty of substituting them or a part of them in the Room of some person
or persons that would rather sacrifice their property than defend their Country -
after my Discharge from the Service having engaged in the Service that them in the time of battle
most of the time in the Service I have been daily to discharge those Debts as also
Money due for Service the whole amounting to upwards of three hundred and forty pounds
some of which I thought that in my power to collect and in brought to them to apply to
I do know
and state

15 May 1778

pg 156

To the Right Honourable and worthy Gentlemen Members of the Continental Congress Now Setting in York Town Pennsylvania [:]

1 - Your Humble petitioner looking upon himself greatly aggrieved and Injured begs leave to lay before
2 - your Honors such a part of the grievances as now come to his memory, most earnestly praying that you
3 - in your exalted station of life may condescend so far as to spend a few moments in contemplating
4 - another more than commonly unfortunate situation of the subscriber who can make it appear that from
5 - his youth up he has served his country to the utmost of his abilities and by merit alone rose to that of being ____
6 - appointed Captain in this most glorious cause in which I hoped in some Future Days to contemplate with
7 - ____ of my fellow sufferers that my services had not altogether been fruitless and in vain, but my being discha
8 - rged from the service by that soft and agreeable time as they were pleased to give it ____ has robbed me of that
9 - comfort that I might have hereafter enjoyed. But as it is necessary to make some examples I do ____
10 - with that of ____ may have a proper tendency to a more quiet discharge of duty by every person in
11 - the Service of these States, but to a C. ____ gentleman I Shall endeavor to show you the numerous instances
12 - where I hope it may ____ order the same? way of redress.
13 - 1st - I being allowed to draw four months pay for a large Company which I had raised the most consider
14 - able of myself and also found them subsistence from time of enlistment until we marched a ____ also had
15 - loaned considerable sums for many who were enlisted upon their promising that I should retain in my hand
16 - such and such sums as would repay me as they earned it But a paymaster being appointed to the regiment before
17 - I had settled my accounts up, I was induced to take up my pay and subsistence rolls to the first of June
18 - and give the States credit for what money I had advanced which I did and hoped at least to have a part of my
19 - money that I had advanced stopped in his hands and their subsistence but he the said paymaster ____
20 - not pay me a single shilling without a positive order from each person to him which when numbers
21 - of them I had done the most for found they would give no order But demanded both pay and
22 - subsistence money both of which I had found and advanced and had my amounts to produce to Him
23 - but although I alleged that my ____ and amounts should at least be good for the time before his appointment
24 - and discharged him from paying them, he did it and ever since when I have their positive orders to the
25 - paymaster of the regiment attested by an officer I cannot get the paymaster to retain in his hands what
26 - he certainly had the right to do which is just a part monthly nor will I ever have it in my power
27 - except some act is made to compel a soldier to pay his just debts and a paymaster to retain in his
28 - hands but ____ that even the case as now near 18 months since I have advanced the money. Numbers
29 - are dead and some deserted which makes it out of my power to ever make myself safe.
30 - 2nd - To compleat my first Lieutenant's? quota of men, there was one who after receiving the bounty would not
31 - Swear in except I would give him my bond payable at the expiration of one year for fifty pounds in ____.
32 - I could not pressure his discharge, the which I did from the consideration that I would have a chance
33 - of enlisting a man as good as the whom I could substitute in his room and thought at most I could
34 - not lose more than twenty dollars--and to make my self as I thought safe and sure in that part
35 - after the whole quotas were made up--I spared no cost nor pains in recruiting a number of men of
36 - at my own risqué and expense four of which are now living in camp, one of which I thought might
37 - have done to have been substituted in the room of the man to whom I had given my Bond but when I
38 - applied to General Weedon could not prevail. The soldier then applied for a furlough the which he obtained
39 - with twenty days more time than he applied for and the advise of Genl. Weedon to put the Bond in favor
40 - against me immediately and that ____ the which Bond the soldier has since sold for near
41 - the sum it contained One thing I can ____ that a Captain ____ of me by enlisting for one
42 - year which men have obtained discharges without having any substitute in their room ____
43 - ____ gentleman when you deliberately consider the matter and can be ____ what I ____ is Real facts
44 - you will grant me the Liberty of Substantiateing them or a pert of them in the Room of some person
45 - or persons that would rather sacrifice their property than defend their country.
46 - 3rd - After my dismissal from the Service, having 3 waggons in the Service sell them in the hand of ____
47 - ____ transacting who enformed me He expected money Dayly to Discharge More Debts as also
48 - Money Due for Service the whole amounting to upwards of Three hundred and forty pounds
49 - None of which it Has yet been I my power yet to Collect and In truth? to whom to apply I Do
50 - Not know

Having advanced sums of Money for sundry years to the publick was informed of sundry being
 appointed to whom I have presented my accounts which are approved of and a balance due me of two
 thousand pounds But by Stanton charged with a sum of Money which I owe in Baltimore 100
 of my company which Money I have given the States Credit for and consequently more than
 that sum in the hands of Capt. Stevens paymaster who has my pay roll with him in the
 State of Virginia who wants to have returned by the middle of March But has not yet made his
 appearance there nor for what I know since with one thing I know that I have not been
 have expected to have been sent for and until the copies be absolutely out of my power to get
 of with a clear discharge and after being put off for upwards of four months and to have to travel
 two or three hundred miles after what I have already spent in endeavouring to get what I desire
 and finally said out would be a further addition to my misfortunes.
 I shall mention one instance more and then I shall close. I have two long Transcripts
 upon your patience which is that account in the Auditors hands from Mr. Hudson in Baltimore
 I was charged with 501 1/2 Dollars more than I claimed by some mistake to me unknown but by
 making a tour have had that paid. Settled in my favour But my Expenses with Horse hire
 before I return to carry will at least amount to fifteen pounds upon the whole as I have
 perhaps nearly advanced the whole of my small Estate the which I have acquired by one
 true common Industry for the promotion and good of my country. But when I consider
 the wrong done my self and the Distress brought upon my innocent Family by this
 away. So much as I have done which I have not the least hopes of obtaining I give
 me great uneasiness I therefore most worthy gentlemen made in some sort I laid my
 Grievances before you praying that you may order what you may find by the Stric-
 est Enquiry I have a full Right to I shall indeed think it hard if after being detained
 three or four months with no other News than making a final settlement of
 I should be neither allowed Subsistence nor pay as I have been ready at all times to
 settle But in the mean time I shall conclude with my most sincere wishes that by your
 Judgments most penetrating and good Councils you may aid in baffling the Designs of
 our most crafty Enemies and Enjoy long & happy Blessings and that our dear Country
 may leave no stone unturned in my self your most Obedt & Affectionate Son
 10th May 1770

David Laird
 Late Captain in the Army

48 - 4th - Having advanced sums of Money for Sundry uses to the publick was enformed of auditors being
 49 - appointed to whom I Have presented my accounts which are approved of and a balance Due me of about
 50 - Two Hundred pounds But by By Standin Charged with a Sum of Money which I drew in Baltimore to ____
 51 - of my Company which Money I Have given the States Credit For and considerably more than
 52 - that sum in the Hands of Capt. Stevens paymaster who Has my pay Roll with him in the
 53 - State of Virginia who was to Have Returned by the Midle (sic) of March But Has Not Yet made his
 54 - Appearance Here Nor for what I know Never will [.]. [O]ne thing I know[:] Had I ____ So I would
 55 - Have expected to Have been Sent for and until He comes it is absolutely out of my power to g ____
 56 - __ with a Clear Discharge and after being put off for Upwards of four Months and to Have to travel
 57 - Six or Seven Hundred Miles after what I have already spent in Endeavouring got ____ in what I Liberally
 58 - And freely Laid out would be a farther addition to my Misfortunes

59 - 5th - I shall mention one Instance More only as I fear I Have too Long Transgressed
 60 - Upon your patience which is that amount In the Auditor's Hands from Mr. Hudson in Baltimore.
 61 - I was charged with 581 1/3 Dollars More than I Received By Some Mistake to me unknown but by
 62 - Making a ____ Have that part Settled in my Favour But my Expenses with Horse ____
 63 - Before I Return to Camp will at Least amount to fifteen pounds upon the whole as I have
 64 - Perhaps Nearly advanced the whole of my small Estate the which I Have Acquired by more
 65 - than Common Industry for the promotion and good of my Country, But when I consider
 66 - The wrong Done myself and the Distress Brought upon my Innocent Family by ____
 67 - away so much as I have Not the Least Hopes of Obtaining [.]. It gives
 68 - me great uneasiness[.]. I therefore Most worthy gentlemen Have on Some Sort Laid on
 69 - Grievances before you praying that you may order what you may Find By the Strict-
 70 - est Enquiry I Have a Just Right to[.]. I Shall Indeed think it Hard if after Being delayed
 71 - Here upwards of four months with No other News than Making a Final Settlement if
 72 - I Should Be Neither allowed Subsistance nor pay as I Have Been Ready at all times to
 73 - Settle but in the meantime I shall conclude with my most sincere [sic] wishes that by ____
 74 - Judgements most[?] penetrating and good Counsels you may aid in Baffling the designs[?] of
 75 - Our Most Crafty Enemies and Enjoy Every Blessing your ____ Desire. Therefore
 76 - Beg Leave to Subscribe myself your Most Obed^t & H^{lbc} Servt.

77 - 15th May 1778

78 -

David Laird
 Late Captain 10th Regt.

1--

Most worthy gentlemen

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I Hope you will Cooley and with Deliberation Examine the Many Letters
 That I Complain of as Grievances whereby I Have been greatly the
 Sufferer through the whole of which I am Convinced it will appear
 That any Thing I Have Done Could be with any View of profit or
 Private advantage to my self or any Individual the Service only except
 which to Enable me to go through and answer the End of my Appointment
 and give satisfaction to those who from my former Conduct thought me
 worthy to be promoted to the trust they Disposed in me. I then Immediately
 Tell to the Ministry that finding that I was in a Deficient state I should
 Imagine was Not in the Least Discouraged but Determined to Have this
 Complaints Raised Let the Costs be what it would Even at the Hazard of my
 Little Estate which at that time lay in a fair way of being much Improved
 Having four Servants Threshed perhaps as good workmen as any in
 America and Leather for to shoe them at worth Near one year Two
 Smiths Shops and Sets of Tools a Saddle Used for one year at a low
 Price and a sufficient quantity of stuff to have shoe them in
 England with hair in Two Sticks with every Convenience Missing
 a considerable Stock with a Farm and Hand to work it the Remainder
 of a small Store and at that time Had I been so minded Could
 Have Laid in more. But the Exorbitant prices asked for goods I would
 Not give Nor Did I ever Raise one penny in the trades that I
 lived on ~~nor~~ it Has ~~been~~ ^{been} ~~any~~ ^{any} all around me to do
 But I was Determined not to take those Mean Advantages of the times
 Never the Less as Gentleman in the Discharge to which I belonged
 Truly told me the Policies I came into the Service to make a
 Fortune and I will Enform you the whole of this Reason for so saying
 finding I Had Large accounts against the men of my Company the
 which He alledged were unjust the which I will state in a true Light
 those that were owing to me or were free men and would Enlist I did
 Not so Much as Exact even simple Interest But Having some Servants
 of my own that from the treatment they Recd from me as a Master
 Insisted to serve under me as a Captain this Enduced others perhaps
 to the amount of ten or eleven in all to apply to me to purchase them
 the which I did at any price I could agree for with their Masters
 which was for some Very High they promising that I should Draw
 their whole pay for such a Term of times or that they would pay
 Me there in such a time as I thought they ought in Reason
 to be.

Item Description: Petitions Address to Congress, 1775-89. Volume # 4 - Volume Description: I-L, Page: 154-5 - **18 May 1778**
Subject: David Laird supplies additional information on his finances and how he acquired the debts he is now asking to be reimbursed.

[May 18, 1778]

Page 154

1 - Most Worthy Gentlemen

2 - I hope you will cooly and with deliberation examine the many instances
3 - that I complain of as grievances whereby I have been greatly the
4 - sufferer though the whole of which I am convinced it wont appear
5 - that anything I have done could be with any view of profit or
6 - private advantage to myself or any individual [--] the service only excepted [--]
7 - which to enable me to go through and answer the end to my appointment
8 - and give satisfaction to those who from my former conduct thought me
9 - worthy to be promoted to the trust they reposed in me[.] I then immediately
10 - fell to recruiting but finding service more difficult than I could
11 - imagine was not in the least discouraged but determined to have the
12 - Company raised let the cost be what it would ([,] even At the hazard of my
13 - little estate which at that time lay in a fair way of being much improved
14 - having: [•] Four servants [shoemakers] as good workmen as any in
15 - America and leather to keep them at work near one year; [•] Two Smiths
16 - Smiths Shops, and sets of tools; [•] Sadler hired for one year at a low
17 - rate and sufficient quantity of stuff to have him kept him in
18 - employ well laid in; [•] Two stills - with Every Conveniency Necessary;
19 - [•] A considerable stock with a farm and hands to work it; [•] the Remains
20 - of a small store and at that time had I been so minded could
21 - have laid in more, but the exorbitant prices asked for goods[.] I would
22 - Not give Nor Did I ever raise one penny in the trades that I
23 - Could in ____ Has ____ Customery all round me so to do[.]
24 - But I was determined not to take those mean advantages of the times[.]
25 - Never the less[,] a certain gentleman in the regiment to which I belonged
26 - Freely told me he believed I came in the service to make a
27 - fortune and I enform you the whole of his reasons for so saying[:]
28 - Finding I had large amounts against the men of my company the
29 - which He alleged was unjust (the which I will state in a true Light)[.]
30 - Those that were Indebted to me[,] or were free men and would enlist[,] I did
31 - Not so much exact even a simple interest[.] But having some servants
32 - of My own that from the treatment they received from me as a Master
33 - ensisted to serve under me as a Captain[,] this enduced others [--] perhaps
34 - to the amount of ten or eleven in all [--] to apply to me to purchase them
35 - which I did at any price I could agree for with their Masters
36 - which was for some very high--they promising that I should draw
37 - their whole pay for such a term of time or that they would pay
38 - me themselves in such a time as I thought they ought in reason

1. Recruiting servants by paying their masters for them was allowed by law. See William Waller Hening's *The Statutes at Large; being a collection of all the laws of Virginia* . . . Richmond, VA, 1821. (Repr. 1969) Vol. 9, pg. 275. "[. . .] that it shall be lawful for every recruiting officer to enlist all able bodied young men above the age of sixteen years, any apprentice or servant, except hired servants, under written contracts . . . [they may be enlisted when] legally due by indenture, in writing, from the owner. . . ." "May 1777 - 1st the Commonwealth Chap II.

39 -- ¹⁵⁶ I was so much as they seemed then fully satisfied I should
 40 -- receive and where some had upwards of three years to serve the most that
 41 -- asked was that I should draw half a year's pay on the whole only
 42 -- one at that the remainder being twelve and fifteen months the which
 43 -- they have by their marshes and canals none of the most friendly
 44 -- to me kept me out of and drawn their full pay and spent it and
 45 -- some of them and dead some deserted the remainder ever remaining
 46 -- to do any just and equalable part by me if I judge impartially I should
 47 -- offend the whole of those men before I left home that if the matter should
 48 -- make any true contract with me I would not desire to receive any
 49 -- more money from them than what I had in quality laid out for them
 50 -- as also I made them that same offer when we joined the army
 51 -- upon the whole if I have done any thing wrong to those men in making
 52 -- something more than the exact sums that I laid out it is what in
 53 -- quality I was ignorant of and what I declare only did in a proper
 54 -- manner in case that a part should fall that I might stand
 55 -- some chance to draw in at some future day what I had laid out
 56 -- there are only six of those men now alive if your judgment should be in
 57 -- my favour or any Enquiry your Honours may think proper to be
 58 -- the Gods of the Judgment to make in regard of such like matters
 59 -- be fond of taking to them as I am anxious to have a final settlement
 60 -- in the mean time I most sincerely beg most worthy gentlemen to go
 61 -- with pardon my so long apologizing upon your patience and
 62 -- pray to be excused to subscribe myself again most Obedt & Affec^t
 63 --

64 -- of May 1778

Letter & petition from

David Laird

David Laird

10 May 1778

referred to the board of
war



AMERICAN
MEMORY

PREVIOUS

NEXT

ITEM LIST

NEW SEARCH

A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774-1875

Journals of the Continental Congress, 1774-1789
MONDAY, MAY 18, 1778

A letter and petition from David Laird, were laid before Congress.¹

[Note 1: 1 This letter is in the Papers of the Continental Congress, No. 42, IV, folio 154.]

Ordered, That they be referred to the Board of War.

39 - save so much as they seemed then fully satisfied I should
 40 - Receive and where some had upwards of three years to serve the most that [I]
 41 - asked was that I draw eighteen months pay in the whole[--] only
 42 - one at that[--] the remainder being twelve and fifteen months the which
 43- They Have By their Naveship and councils (none of the most friendly
 __ - to me) kept me out of and drawn their full pay and spent it[.]
 44 - ____ of them are dead[,] some deserted[,] the remainder ever unwilling
 45- to do any just and equitable part By me, if I judge Impartialy[.] I further
 46- offered the whole of those men before I Left Home that if the ____ or ____
 48- make any sure Contract with one I would not desire to receive any
 49 - more Money from them than what I had in Reality Laid out for them
 50 - as also I Made them that same offer when we joyned the army
 51 - upon the whole if I had done anything wrong to these men in ____
 52 - Something more than the Exact Sums that I Laid out it is what in
 53 -Reality I was Ignorant of and what I Declare I only Did in a ____
 55 - ____ manor in Case that a part Should Fall that I might have
 56 - some chance to Draw in at Some future Day what I had Laid out
 57 - There are only six of those men now alive if your judgments should be in
 58 - my Favour or any enquiry your Honours may think proper to ____
 59 - the Colo. Of the Regiment to make in regards of such ____ ____.
 60 - Be fond of Talking to Him as I am anxious to have a Final Settlement
 61 - in the mean time I Most earnestly beg most worthy Gentlemen to you
 62 - will pardon my so Long Trangressing upon your patience and
 63 - prays Leave to Subscribe Myself your Most Ob[edien]t and Humb[ble]. Ser[van]t

64 - 18 May 1778

Letter & Petition from

Laird, David

65 -

David Laird

66-

18 May 1778

67 -

referred to the board of

68 -

War

To the Honorable the Congress of the United
States of North America

The Petitioners of David Laird, Samuel Hen-
derson and Nathaniel Torbett of the State
of Virginia

humbly sheweth

That Your Petitioners agreeable to Contract made
some time ^{before} did on the 20th November instant deliver to Col. Blain
Commissary 51 head of Cattle which at the prices agreed for amounts
to about £31,227.10. That Your Petitioners were to have received
their Money for the said Cattle immediately on the same being
delivered and estimated, which Estimation was made the 20th
of November but Your Petitioners have not yet received the Money
tho' they have repeatedly demanded it of Col. Blain who said he
had apply'd to the Treasury but could not get it

May it please the Honorable Congress

Your Petitioners are about 300 miles from home, have spent
all the Cash they brought with them in waiting for the Money for
these Cattle; are now pennyless in a strange place, and had
purchased the said Cattle on credit expecting to receive their
Money on delivery and ~~return home~~ ^{directly} In this situation

Your Petitioners beg leave to lay their Case before Your Honors
humbly praying to grant an Order that the
said Money for the Cattle be immediately paid
them, with such further Allowance for their
Expences and Time in waiting as in Your Wisdom
shall seem meet And Y^r. Petitioners as in &c.

Philad.^a Novemb^r. 29. 1780.

David Laird
Sam^l. Henderson
Nath^l. Torbett

1 - "To the Honorable the Congress of the United
2 - States of North America:
3 - The Petition of David Laird, Samuel Hen-
4 - derson and Nathaniel Torbert of the State
5 - of Virginia –
6 - Humbly Sheweth
7 - That Your Petitioners agreeable to Contract made
8 - some time before did on the 20th November instant deliver to Col. Blaine [,]
9 - Commissary [,] 51 head of Cattle which at the prices agreed for amounts
10 - to about £31,227.10 – That Your Petitioners were to have received
11 - their Money for the said Cattle immediately on the same being
12 - delivered and estimated, which estimation was made the 20th
13 - of November but your Petitioners have not yet received the Money
14 - tho' they have repeatedly demanded it of Col. Blain who said he
15 - had applyd to the Treasury but could not get it . . .
16 - May it please the Honorable Congress—
17 - Your Petitioners are above 300 miles from home, have spent
18 - all the cash they brought with them in waiting for the Money
19 - for these cattle; are now penniless in a strange place, and had
20 - purchased the said Cattle on Credit expecting to receive their
21 - m oney on delivery and return home directly. In this situation
22 - Your Petitioners beg leave to lay their Case before Your Honors
23 - humbly praying to grant an Order that the
24 - said Money for the Cattle be immediately paid
25 - them, with such further allowance for their
26 - Expenses and Time in waiting as in your Wisdom
27 - shall seem meet. And ye Petitioners of ____
28 - Philad^a. November 29. 1780 **David Laird**
30- **Sam^l. Henderson**
31 - **Nathl. Torbett**



AMERICAN
MEMORY

PREV PAGE

NEXT PAGE

NEW SEARCH

The George Washington Papers at the Library of Congress, 1741-1799

100 Items were found containing the word *cattle*

19 George Washington to Ephraim Blaine, January 29, 1781

No. 1. To Colo. Ephraim Blaine, C. G. Parson

Head Quarters New Windsor Jan^y 29th 81.

Sir,

Representations having been made to me, by the Commissary of the Staff, that there is no Provision of the Meat kind, for the Artillery and other Troops at this place, nor a prospect of any immediately, on account of the impossibility of transportation by Water, and that there are Beef Cattle in the Neighbourhood for Sale, but which cannot be obtained without Hard Money: You are therefore directed to procure an immediate supply for the Troops, and if it cannot be obtained by purchase, you will take measures for impressing the same, having the Cattle properly estimated and making compensation for them agreeable to the just value.

I am, &c.

G. Washington

Transcription of Letter on left:

To Colo. Ephraim Blaine
Head Quarters New Windsor
Jany 29th, 1781

Sir,

Representatives having been made to me by the Commissary of the Staff that there is no Provision of the Meat kind, for the Artillery and other Troops at this place, nor a prospect of any immediately on account of the impossibility of transportation by water, and that there are Beef Cattle in the Neighborhood for Sale, but which cannot be obtained without Hard Money: You are therefore directed to procure an immediate supply for the Troops and if it cannot be obtained by purchase, you will take measures for impressing the same, having the Cattle properly estimated and making compensation for them agreeable to the just value. I am,

G. Washington

[David Laird's letter to the Continental Congress is dated just two months before George dictated this letter to Ep. Blaine. David did NOT get "Hard Money" for the cattle, but many soldiers did get meat to eat because of the 51 cattle he drove from Virginia to Philadelphia.]

GENERAL ORDERS

Head Quarters, V. Forge, January 13, 1778.

At the same Court held 6th. instant Captain Flagg ⁶ charged with "neglect of duty 1st. in suffering the Marquis de la Fayette, when Major Genl. of the day to come in the night to the center of his Picquet, without being stopped or challenged; 2nd for permitting his sentries to have fires in his sight" was tried and acquitted by the unanimous opinion of the court. The Commander in Chief approves the sentence. [*Capt. Flagg was killed in May in 1778--perhaps David Laird was lucky to have been discharged?*]

At the same Court held 7th. [1777] instant Capt. Laird, ⁷ charged with "Neglect of duty, in suffering the Major General of the day to surprize him at his picquet in the night," was tried and found guilty and sentenced to be dismissed from the service.

GENERAL ORDERS

Head-Quarters, V. Forge, Wednesday, February 18, 1778.

At a brigade Court Martial whereof Lt. Colo. Beauford ³⁸ was president (Feb. 16th.) Lieutt. John Rust of 10th. Virginia Regiment, tried at the request of Lieutt. Broadwater ³⁹ for abuv sively aggravating said Broadwater to strike him, for getting drunk, playing Cards and beating Capt. Lard ⁴⁰ on the Sabbath day whilst he the said Capt. Lard was under arrest and found guilty of a breach of 21st. Article 14th section of the Articles of war, also of a breach of General Orders, and sentenced to be discharged from the service. But as Lieutt. Rust has formerly borne the character of a good officer, the court are pleased to recommend him to the consideration of His Excellency General Washington to have him reinstated in his rank.

The Commander in Chief approves the sentence, but is concern'd he cannot reinstate Lt. Rust in compliance with the recommendation of the Court founded upon his former good Character as an Officer. His behavior in the several instances alledged was so flagrant and scandalous that the General thinks his continuance in the service would be a disgrace to it and as one part of the charge against him was gaming, that alone would exclude him from all Indulgence; a Vice of so pernicious a nature that it never will escape the Severest punishment with His approbation.

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Publication Information: Book Title: The Writings of George Washington from the Original Manuscript Sources, 1745-1799. Volume: 10. Contributors: John C. Fitzpatrick - editor, George Washington - author. Publisher: U.S. Government Printing Office. Place of Publication: Washington, D.C.. Publication Year: 1931. Page Number: 475.

One questions why Captain Flagg was acquitted while Captain Laird was found guilty of the same charge. The answer was found in the General Orders for February 18, 1778. Capt. Laird was NOT dismissed because of the neglect of duty, rather he is guilty of a breach of the 21st Article 14th Section of the Articles of War. " This article states the punishment is due to behavior unbecoming an officer and gentleman. " Now what did David do (or probably say) to deserve THAT?

<i>L</i>	<i>10</i> (1778-1778.)	<i>Va.</i>
<i>David Laird</i>		
<i>Capt. David Laird's Co. of the 10th Virginia Regiment, commanded by Col. Edward Stevens.*</i>		
(Revolutionary War.)		
Appears on		
Company Muster Roll		
of the organization named above for the month		
of	<i>Jan</i>	<i>1778.</i>
Roll dated	<i>Feb. 10,</i>	<i>17</i>
Appointed		<i>17</i>
Commissioned		<i>17</i>
Enlisted		<i>17</i>
Term of enlistment		
Time since last muster or enlistment		
Alterations since last muster		
Casualties		
Remarks:	<i>Dismissed for service Jan 13, 1778.</i>	
*This company was designated at various times as Capt. David Laird's and Lieut. Nathan Lumsden's Company.		
	<i>N. Lumsden</i>	<i>Copied.</i>
(548)		

Why a dishonorable discharge?

Introduction to David Laird's Petitions to the Virginia Legislature

Legislative Petitions of the General Assembly, 1776-1865 - Accession Number 36121, Box 224, Folder 19.

Also available on - Legislative Petitions Microfilm Reel 176 - Rockingham County

David Laird, Captain of 10th Company of Continental Army

30 November 1786 -

David Laird did not receive money for the 51 cows that he and two other men had driven from Augusta County, Virginia to Philadelphia until 1786—six years after he left them at Philadelphia. Ephraim Blaine, the quartermaster of the Continental Army did not have any money, so he impressed them. In the end, it was not the United States of America, but the state of Virginia, who paid David for the items impressed. The following petition provides information on what occurred. If David had known that, he could have saved all the time and effort required to drive a herd of cattle 300 miles!

I like to think that he would have done so just because he wanted to feed the hungry soldiers. Impressing did not become a law until two months after he delivered the cattle to Philadelphia. This message by George Washington tells the story:

Address to the Inhabitants of Virginia. 26 March 1778. From G. Washington

"The bearer Mr. Johnston Smith being sent by Major Genl. Greene Qr Master General to the Continental Army to provide Horses, Waggon and such other things as are necessary for Quarter Master General's department. I have the fullest hopes that every person well affected to their Country and who with will to the noble cause in which we are embarked will cheerfully supply him with what he may want for which they will be amply and regularly paid. I address myself particularly to my Countrymen of Virginia because Mr. Smith proposes to confine his purchases principally to the Counties of Hampshire, Berkeley, Frederick, Dunmore, Augusta, Loudoun and Fauquier. . . ."

[George Washington's Papers at the Library of Congress, 1741-1799: Series 3c Varick Transcripts. Letterbook 2, Image 278 of 416.]

It is not known if David Laird cheerfully supplied the cattle, but we know he did supply them. He also supplied a number of other items. It is probable that he and many of the others whose livestock and other food was impressed were indeed happy to do so since their friends and relatives may have been in the army and needed food. Also, George Washington and those who were making these requests were very careful that they did not leave those providing food for the soldiers without sufficient food for themselves. A law passed in May 1780¹ stated that they take food only "after leaving sufficient for the use of the family, or those in his or her service, to the first day of December next, of wheat, rye, oats, flour, rum and other spirits, the surplus; after leaving sufficient for the use of the family to first day of September one thousand seven hundred and eighty one, and also a sufficient quantity of such grain for seed for the succeeding crop; of biscuit, salt, rum and other spirits in the possession of any person or persons; for sale, not exceeding one half of the quantity on hand. . .

And if any person so called on by the commissioners shall willfully secret or conceal any of the before enumerated articles in his or her possession, he or she so secreting or concealing the same, being proven guilty thereof, shall forfeit and pay to the use of the commonwealth, treble the value of the articles so secreted or concealed . .

¹ Hening's Statutes. Vol. 10, pg. 235

Laird's Petition

Nov 30th 1786

Ref'd to Claims

December 7th 1786.

*part Rejected
Other part Reasonable.*

Reported

Cover sheet of Virginia Legislature relating to David
Laird's request for compensation for several items.

"Laird's Petition - Nov 30th 1786
Referred to Claims - December 7, 1786
Part Rejected - Other part Reasonable - Reported"

1-- To the honor able the speaker and Gentlemen of the House of Delegates
2-- of the State of Maryland I humbly sheweth

3-- That for a variety of services performed for and
4-- monies advanced to the Commonwealth altho he is entitled to near one thou-
5-- sand pounds part of which I have of 1911 he has
6-- by the County Court of Augusta returned to the Auditors Office
7-- who issued their Certificate Accordingly— Upon applica-
8-- tion for the same of Auditors informed by Petitioner they had deli-
9-- vered it to some person beyond the Mountains as he had an-
10-- dentation to deliver it same to y^e petitioner— That y^e petitioner
11-- never Received this Certificate nor any satisfaction there for
12-- nor did he authorize Any person to receive it for him
13-- from which Circumstances he conceives the publick are
14-- entitled to be debted him a Certificate for y^e above men-
15-- tioned sum

16-- Further sheweth that he has sundry Claims for money ad-
17-- vanced to Soldiers during his Service as a Recruiting
18-- Officer, which advances were made Under the faith
19-- of y^e then existing Regulations under which y^e Captains were
20-- pay masters to their respective Companies y^e might indem-
21-- nify themselves for money advanced to y^e Soldiers
22-- this Regulation however ceased before he could ask him-
23-- self that Justice he pays there for that he may be allowed
24-- little & receive y^e balance of y^e Soldiers as have dispos-
25-- ed of y^e same agreeable to y^e vouchers in his possession— & also
26-- allowance for y^e turn advanced on behalf of y^e
27-- Commonwealth yet unsettled

28-- Your Petitioner is sorry to inform your honor-
29-- able that he is not in Circumstances to be out of his
30-- being himself a cripple for some time past and
31-- is to a helpless disabled family who only
32-- means of subsistence is in the hands of y^e

These petitions are located at the State Library of Virginia in Richmond. They can be viewed online.
They are also available through library loan--on microfilm--to Virginia residents.

Petition to Virginia House of Delegates – 30 November 1786

1 - To the honorable the speaker and Gentlemen of the House of Delegates

2 - Petition of David Laird humbly sheweth _____

3 - That for a variety of Services Performed for [] and

4 - Monies advanced to [] the Commonwealth he is entitled to near one thou-

5 - Sand pounds part of which claim £197.11 have been _____

6 - by the County Court of Augusta returned to the Auditors Office

7 - who issued their Certificate Accordingly – Upon applica-

8 - tion for the same the Auditors informed the Petitioner they had deliv-

9 - ered it to some person beyond the Mountains who had un-

10 - dertaken to deliver the same to the petitioner – That the petitioner

11 - never Received this Certificate nor any satisfaction therefore

12 - nor did he authorize Any person to receive it for him

13 - from which Circumstances he conceives the publick are

14 - duty bound to deliver him a Certificate for the Above men-

15 - tioned sum _____ Your Petitioner

16 - further sheweth that he has sundry claims for money ad-

17 - vanced to soldiers during his Service as a Recruiting

18 - Officer, which advances were made Under the faith

19 - of the then existing Regulations under which the Captains were

20 - Pay masters to their Respective Companies & Might indem-

21 - nify themselves for money advanced to the Soldiers

22 - This Regulation however ceased before one Could do him-

23 - self that Justice he prays therefore that he may be allowed

24 - to settle & Receive the _____ such Soldiers as have disposed

25 - _____ of the same agreeable to the Vouchers in his possession -- & also

26 - _____ Allowance for the Sums Advanced on behalf of the

27 - Commonwealth yet unsettled _____

28 - Your Petitioner is sorry to inform your honor-

29 - able _____ that he is not in circumstances to be out of his

30 - _____ being himself a Cripple for some time Past and

31 - _____ ing to a helpless distressed family whose only

32 - _____ of subsistence is in the hands of the

33 --
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57 --

The Publick & which when received in Warrants
will be far short of the value of their nominal amount
The farther shears that upon settlement of his Accounts
of Pay and Depreciation is an Officer he rec^d a warrant
for the same. The same after wards found
due by Law which he is now called upon to
fund he Prays that as part of States faction to wit
he is intitled this sum may be discounted and to
your honor as a body will give him such other in
further Relief as to your Honor shall seem just and
Equitable & he as an duty bound will pray.

25 Office No. 27. 1786

It appears that Warrants issued in the name of
David Laird the 23. of February 1786 for One hundred
& ninety one pounds eleven shillings for sundry articles
furnished for public use but as those claims were
liquidated by one of my Clerks it is impossible
for me to say who received them
~~by the Auditor~~
unauthorized by law to adjust the claims at
to in this Petⁿ as they are private transactions
Mr Laird & the Individuals his Debtors.

David Laird

33 - [the]Publick & which when Received in warrants
34 - will be far short of the value of their Nominal amount.
35 - He farther shews that upon settlement of his arrears
36 - of Pay and Depreciation as an Officier he recd. A warrant
37 - _____ afterwards found
38 - due by law which he is now called upon to ____
39 - fund. He Prays that as part of the Satisfaction to which
40 - He is entitled this sum may be discounted and ____
41 - your honorable body will give him such other and
42 - farther Relief as to the Honor shall seem just and
43 - Equitable & he as in duty bound will pray ____
44 - D. L.

45 - Aud^{er}'s Office Nov 27th, 1786
46 - It appears that Warrants issued in the name of
47 - David Laird the 23rd of February 1786 for One hundred
48 - & ninety one pound eleven shillings for sundry articles
49 - furnished for public use , but as these claims were
50 - liquidated, and the Warrants granted by one of my colleagues ____ impossible
51 - For me to say who received them _____
52 - _____ The Auditor
53 - unauthorized by Law to adjust the claims ____
55 - to in this Pet^o. as they are private transactions ____
56 - Mr. Laird ____ the Individuals his Debtor's _____
57 - Js. W. Pendleton

To his L^{ty} George H. N^o 10

58- A list of Claims ^{for} 500 Dollars due for a part of my
59- Company who Conspired to kill that I had done
60- them Unjustly the same being distributed to them
61- before I joined the army and I gave the States Credit for
62- The same not knowing that the New Arrangement then
63- Had or was about to make place which I worked one of
64- them doing myself that Justice that was even before
65- that time the power of the Captains to do them Justice
66- by stoppage of their Debts was owing or Money advanced

67- 2nd Claim is for 293-10- which I advanced for Servants
68- who agreed I should be paid ~~by~~ ^{by} stoppage
69- and in case of being killed or dying in the service I
70- was to be entitled to their Lands and the Ballances due
71- them ^{if killed or dying in the army} a very florid security of I even had it now
72- in possession. These were all Sullandish and had no friends
73- in the Country

74- 3rd Claim is for Services as Waggon hire performed in 1777 to
75- the Northwest and waggon sold at the trading forge ~~in~~
76- in January 1778 to the amount of £100-11- and
77- seven pounds worth of work performed there were prizes
78- of war from the Barracks in Albion whole amt
79- is £191-11- as Claimed Count of Claims in Augusta
80- Court and after being audited By the Auditors given
81- by them to some person unknown and cannot say
82- without an order from me

83- 4th Claim is for Robert Rimes pay as enlisted by
84- Capt James Correy then His Captain with whom he was
85- Made prisoner at Charleston when Taken by Gen^l Clinton
86- and has not since returned the prize yet and interest due
87- Me is £77-2- by as will appear by the Note Enclosed

88- 5th Claim is for 30- worth of Mathew Rimes pay as is due
89- from I having Bought part of his time and set him at
90- Liberty on Conditions of paying me as may appear by
91- my debt and Notes. He was killed at the Battle of Grand Caillon
92- he enlisted in 1775 in Capt Thomas Comp^y Cadogan Reg^t 16th

58 - 1st - A list of Claims for 500 Dollars D_____ By Col. George Weedon[?] for a part of my
59 - Company who Complained to Him that I had Done
60 - Them Injustice the same Being Distributed to them
61 - Before I Joyned the army and I gave the States Credit for
62 - The Same Not knowing that the New arrangement then
63 - Had or was about to take place which prevented me of
64 - Ever Doing myself that Justice that was ever before
65 - That time in the power of the Captains to Do themselves Justice
66 - by Stopages where Debts were owing or Money Advanced
67 - 2nd - Claim is for £293 - 10 which I advanced for Servants
68 - Who agreed I should be paid _____ up by Stopages
69 - And in Case of Being Killed or Dying in the Service I ____
70 - was to be Intitled to their Lands and the Ballaces Due
71 - Them if killed or dying in the army a very slender Surrety if I Even had it now
72 - In possession. Those were all outlandish? And had my friend
73 - In the Country

3rd - Nothing listed

74 - 4th - Claim is for Services as Waggon Hire performed in 1777 to
75 - the Northward and wagons Sold at the Valley Forge
76 - in January 1778 to the amount of £134 - 11 - and
77 - Seven pounds worth of work performed Removing prisoners
78 - of War from the barracks in Albemarle whole amt
79 - is £191 - 11 - as _____ Court of Claims in Augusta
80 - Court and after Being audited By the Auditors given
81 - by them to Some person unknown and I must say
82 - without any order from me.

[Note: For substantiating information about this claim, see 3rd item listed on page 156 of David's petition dated May 15, 1778.]

83 - 5th - Claim is for Robert Prince? Pay as Certified by
84 - Capt. James Cowsey? Then His Captain with whom he was
85 - Made prisoner at Charleston upon Taken by Genl _____
86 - And has not Since Returned the principle and interest due
87 - Me is £17:2:9 as will appear by the Note Enclosed
88 - 6th - Claim is for so Much of Mathew Kinney's pay as is Due
89 - From I Having Bought part of his time and Let Him at
90 - Liberty on Conditions of paying me as may appear by
91 - My _____ and Notes. He was Killed at the Battle of Brandywine.
92 - He Enlisted in 1775 in Capt Thornton's Company. _____ Due £__:16:5

92-- 7 Claim is for Nine Thousand Six Hundred and Eighty
93-- Eighty Nine Pounds and an half ^{of} the which I understand 25
94-- for 100 was formerly allowed. where Bums were singularly
95-- Not up by Commissions and ordered at High Court and
96-- Court taking Last By High Court the which cost the State
97-- at least one Halfpenny per acre that was done
98-- and it was purchased and done at my own Expense

99-- 8 Claim is for Six Thousand five hundred and Seventy
100-- five Pounds and an half of the which I understand 25
101-- for 100 was formerly allowed. where Bums were singularly
102-- Not up by Commissions and ordered at High Court and
103-- Court taking Last By High Court the which cost the State
104-- at least one Halfpenny per acre that was done
105-- and it was purchased and done at my own Expense
106--

92 - 7th - Claim is for Nine thousand Six Hundred and Eighty

93 - Eight pound and a half which I understand 25/

94 - pr. 100 was generally alowd. Where Beeves were Singurly?

95 - Bot by Comissarys and valued at High Rates and

96 - Sometimes ___By ___Drivers the which cost the ___

97 - At Least one Half ___ than mine that were Delivered

98 - at ___ purchased and Drove at my own Expense

[Note: For additional information about this claim, see David's petition dated Philadelphia, November 29, 1780.]

99 - 8th - Claim is for Levi Thomas's pay whom I ordered putting

100 - Into the pay Rowl [roll] as may appear upon Examination ___

101 - _____ I had a few Days before Exchanged him for a Sergt

102 - Powel in Colonel Shelton's Company and paid him up

103 - His full pay as per Receipt to the amount of Seven pounds

104 - six shillings and Eight pence, the which I Never laid

105 - In any Claim for as may appear if search is made in

106 - the pay Rowls [rolls] to which may be Referred?

[Have not been able to find anything which throws light on what the following is about.]

107 - Praying that funds may be provided for the payment of three Orders in the hands of _____
108 - _____ upper [?] James or York _____ in tobacco in favor of Richd. Adams
109 - _____ amounting to 35,000 which are drawn by Ben: Harrison Esq. then Governor of the State
110 - _____ in Virginia
111 - upon the Treasurer for the rent [?] of a House ~~then occupied by the keeper of the Public Jail~~
112 - is reasonable. And that the _____ sd. Tobacco ought to be _____ settle _____ in money 20/
113 - _____ the amount thereof Paid? out of the contingent find.

114 - Resolved _____ that so much of the Pet[ition] of the sd. D[avid] L[aird] as puts forth that a certificate

115 - is^d [issued] in his favor by the Auditor for the sum of £191:11: due to him for impressed

116 - Property which has been by mistake Delivered to some other person without his order

117 - And praying that a duplicate thereof may be granted him be **rejected**

118 - All other parts of the s^d. Pet. As set forth that he ~~has sundry claims for monies~~

119 - ~~advanced to soldiers under his command was a Capt during the late War~~ _____

120 - ~~of whom he has~~ for sundry claims for them advanced to soldiers under his command

121 - ~~some of whom died in service & others were taken prisoner~~ _____

122 - That these amounts for depreciation & _____ of pay remain to be

123 - settled And praying that as some may be settled with _____ upon

124 - his producing the necessary vouchers therefrom in order _____ that he

125 - may receive payment of his sd. Claimes is **reasonable**.

Part 3

His Legacy

David Laird worked hard all his life and probably was not bragging, but merely stating a fact, when he said in his petition dated May 15, 1778 "from his youth up he has served his country to the utmost of his abilities and by merit alone rose to that of being appointed Captain in this most glorious cause"

He has received praise for his military services in three wars, but the only tangible legacy he left is the magnificent house he built between 1786 -1793 on North River in Augusta County.

An article written by Gladys B. Clem in 1950s credited David Golliday as the builder, but it appears she interviewed the then current owners and their knowledge did not go back past the Golliday ownership. Much research has been done in the deeds and wills at the Augusta County courthouse; also in the Virginia State Library and Archives. Land and Personal Property Tax records there prove that the house was built before he sold it to Golliday. David had purchased the property for £40 in 1773. He kept it in his possession until 1801 when it was sold by his executors for \$3,500. It is possible that David Golliday made some additions inside the house, but the brick exterior shows the basic house was just as it is now when the property changed hands.



The spring is at the back of the house. It would have been close to the kitchen and laundry.
Good for a cool drink of water, too.



R

Sequence of activities which show David Laird was making provisions for building a new house—first ascertaining the property he planned to build it on was properly recorded, then making arrangements to live near Middle River while construction took place, then acquiring additional land near the 136-acre tract to which he was returning.

Date	Concerning	Notes
1784, May 8	Deed from Edward Beard to David Laird "examined and Delivered" to David. The deed was recorded 16 Mar 1773. Augusta Deed Bk 19:159.	The deed was the purchase of the 136-acre tract that the new house was to be built on.
1785, May 20	Purchase of 77 acres of land on Middle River in Augusta County. The land was near his brothers-in-law (James & Samuel Lamme) and his daughter, Jane & son-in-law, (Robert Cochran)	
1786	David is listed twice in the 1786 Personal Property Tax Lists with the same number of horses and cattle in each, but with different neighbors, so it is believed he moved his residence at some time this year.	Augusta County Personal Property tax lists – Microfilm Reels 123 & 124, Frames 0146 & 0167. Ann Scott (Lamme) Laird's brothers were listed on Frame 147; Charles and William Beard who are known to have owned land on North River near David are listed in Frame # 167.
1784 to 1789	Land tax lists show David owning the 77 acres on Middle River from 1784 [Land Tax List "C"] until 1793 [Land Tax List "C"].	
1791	David got a grant of 40 acres in 1791 which was located on the south side of North River. This 40 acres is mentioned in the tax recorded each year until he died.	Grant Bk. 25:254
1796	David got a grant of 11 acres adjacent to Hugh Donohue and James Beard. This 11 acres was sold in 1801/1810 along with the 136-acre tract to David Golliday	Grant Bk. 28:723

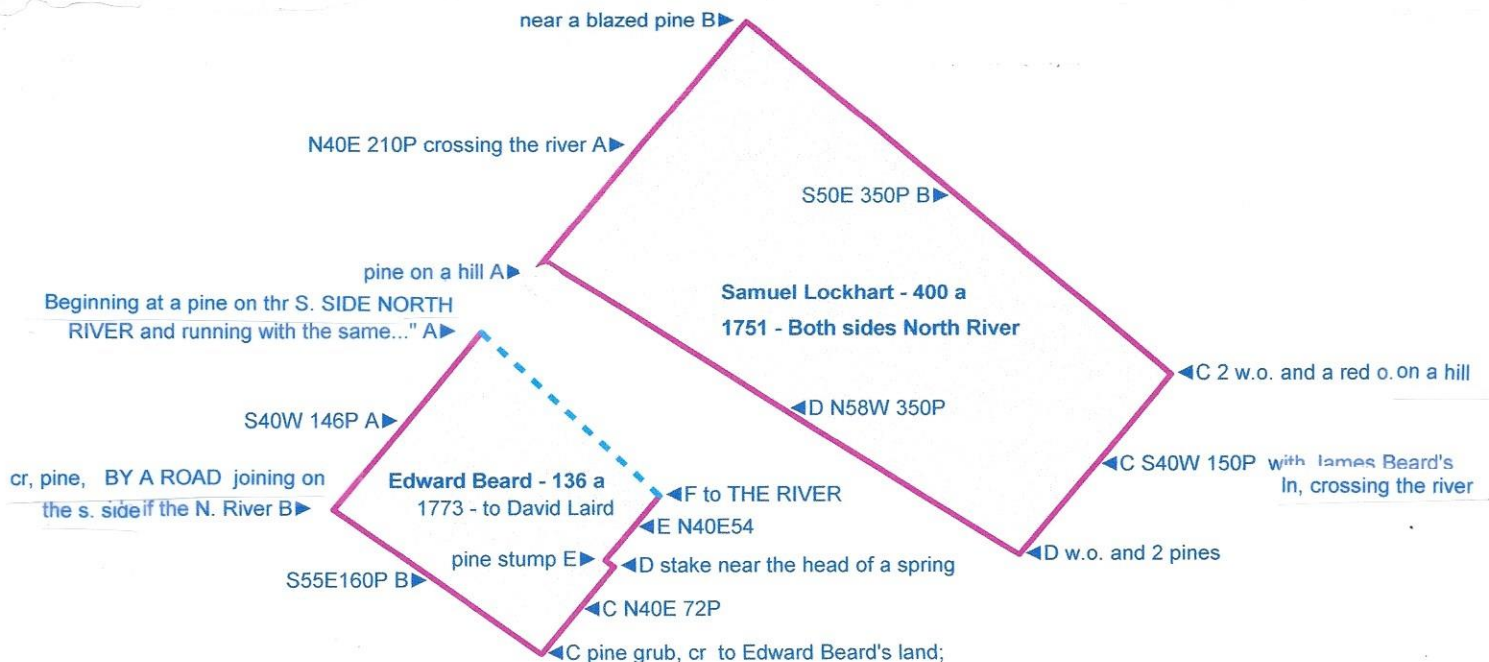
Augusta County, Virginia Land Taxes for David Laird - 1782 to 1800

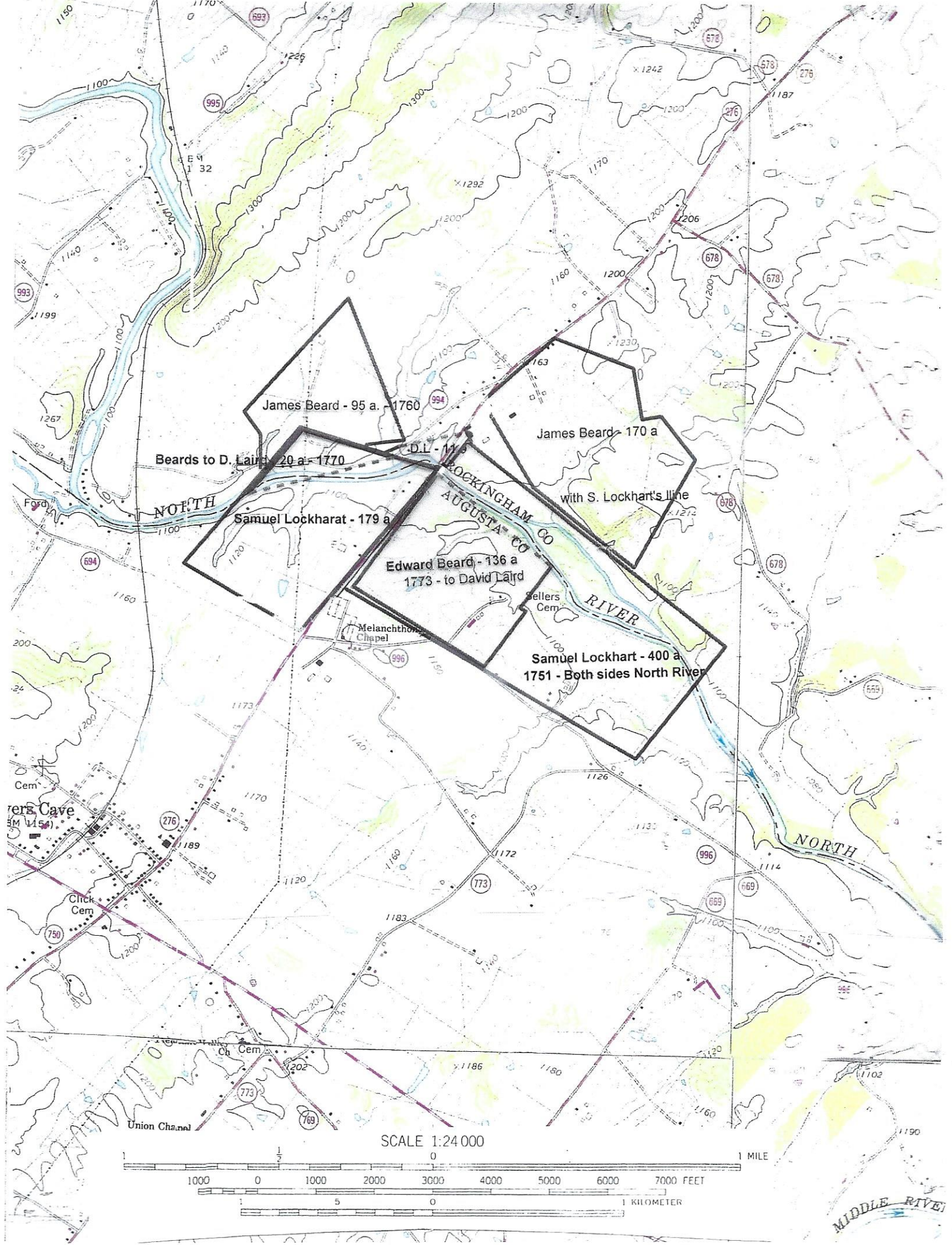
[From Augusta County Microfilm Reel # 21 - located at Virginia State Library]

Year	Patent / Deed reference	Name of Landowner	No. of Acres	Tax per acre	Amt in £ S D	Total Tax	Notes:
1782	Dd Bk 5:289	Laird, David	136	10	68	13.72	
1783		Laird, David	136				
1784 List "C"		Laird, David	136 77	13? 8 1.6	58.18.8 5.15.6	17.8 ¼ 0.1.9	David Laird patented 77 a. on N. side Middle River of Shanandore, 20 May 1785. It is obvious that David liked the 136 acre tract a lot. He owned it from 1773 until he died! It had a number of assets—a spring probably the most important, but it was located on North River and also on a major road. David probably lived in a house of some sort on the 136 acres, so he had to move somewhere else until the new one was built.
1787 List "C"		Laird, David (Capt.) "	136 77	13? 8 1.6	58.18.8 5.15.6	17.8 ¼ 0.1.9	
1788 List "C"		Laird, David (Capt.) " "	136 120 68 77	136 3,6 1.6	58.18.8 21.0.0 5.15.6	17.8 ¼ ? 6.3 0.1.9	
1789 - 1793		Same as 1788					Probably sometime between 1789 and 1794 David's new house was ready to move into. Therefore, he sold the 77-acre tract he had purchased in 1784 as a temporary residence.
1793 List "C"	Grant 25:254	Laird, David - - -	136 120 77 40	2 -	4 -	1.2 1/2 -	New grant of 40 a. granted 1791 On S. side N. River, adj. James & Robt. Beard and Robt Campbell
1796 List "C"		Laird, David (Augusta)	136 40 11				New grant -- [Patent Bk 28, pg 723] 11 acres adj Hugh Donohue, James Beard. Sold in 1801/1808 to David Golladay along with the 136 a. tract.
1797 List "C"		Laird, David (no designation)	136 40 11				In 1798, he has same 3 tracts of land, but he is called "(Mercht.)" In 1801, David's "heirs" have these 136, 40 & 11 acres.
1799 & 1800	List "C"	Laird, David (Mercht)	136 40 11				
1801	List "C"	Laird, David (his heirs)	136 40 11				The 136 & 11 acres were sold to David Golliday—apparently they were under contract in 1801, but the contract was not completed until 1810 (when "every cent" of the price had been paid) to David Laird's heirs

Provenance of the 136 acres on which David Laird built his house

1. **State of Virginia to Samuel Lockhart** - Patent on 30 August 1751 – 400 acres for 4 shillings
2. **Samuel & Catharine Lockhart to Edward Beard** (mason) - Two tracts, each for 200 acres which comprised the entire 400 acres Samuel patented above.
 - a. Augusta Co, VA , Deed Bk. 5:289 - 200 acres on North River Shanando, part of 400 acres patented to Samuel Lockhart April, 1751, corner Samuel Losk; corner James Beard.
 - b. Augusta Co, VA , Deed Bk 8:168 - 200 acres for £50, 200 acres on No. River Shanandoe, part of 400 acre granted by patent to Saml. 10th April, 1751, corner said Edward's land.
3. **Edward & Mary Beard to James Beard**
Deed Bk. 10:38 - 136 acres for £30, on North Rver of Shanandoe, part of 400 acres patented to Samuel Lockhart 10th April 1751 ...
4. **James & Jean Beard to David Laird**
Augusta Co, VA , Deed Bk. 19:159 for £40, South side North River, 16 March 1773. Delivered to David Laird, 8th May 1784.
5. **David Laird's exrs. to David Golliday** for \$3,500.00, 1801 / 1810 . Augusta Co, VA , Deed Bk. 35:405.





James Beard - 95 a. - 1760

Beards to D. Laird - 20 a. - 1770

Samuel Lockhart - 179 a.

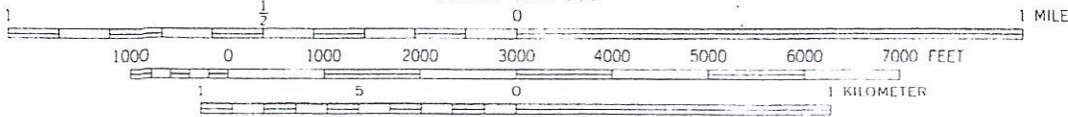
Edward Beard - 136 a.
1773 - to David Laird

James Beard - 170 a.

with S. Lockhart's line

Samuel Lockhart - 400 a.
1751 - Both sides North River

SCALE 1:24 000



MIDDLE RIVER

State of Kentucky Fayette district, to wit:

I, William Todd, Notary public in and for the town of Lexington and district aforesaid duly consign and authorized by law do hereby certify that the foregoing power of attorney was this day acknowledged before me by the said Ann and Samuel Laird, parties thereto, and that the same is truly recorded in my office. In testimony whereof I have hereunto set my hand and affixed my seal notorial this 28th day of March 1808 and 16 year of the commonwealth.

Wm. Todd N.P.

Whereas Ann Laird executrix and Samuel Laird executor of the last will and testament of David Laird deceased, of Fayette County and State of Kentucky by Their certain power of attorney duly proven and recorded Notary public Fayette District and State aforesaid bearing date the 28th day of March 1808 ____ make authorize and appoint Mr. James ~~Goehsen~~ [Cochran] of Augusta County in the State of Virginia their true and lawful attorney for the ____ in their ____ As executor and executrix of David Laird deceased to execute a deed of conveyance of General warrantee to David Golladay of the County and State aforesaid for two tracts of land lying and being in the county aforesaid agreeable to article of agreement [Is this article in Augusta Ct. records?] entered unto between the ____ him on the thirtieth day of November 1801 sold by them under stipulation a provision contained in the last will and testament of David Laird deceased of the county of Augusta and State of Virginia and now on record in the county aforesaid dated ____ day of ____.

Now This Indenture made the 2th day of January 1810, Witnesseth that the said Ann Laird exr and Samuel Laird execuor as aforesaid for ____ consideration of the sum three thousand five hundred dollars to them in hand paid by him the said David Golladay the receipt whereof they the said Anne Laird and Samuel Laird doth hereby acknowledge acquit and discharge him the said David Golladay they the said Ann Laird and Samuel Laird hath granted, bargained and sold, of ____ released and confirmed and by theses presents doth grant, bargain, sell ____ release and confirm unto the said David Golladay is heirs and assigns forever All them two tracts or parcels of land containing one hundred and forty seven acres of land situated lying and being in the county of Augusta and joining on the south side of the North river of Shenando the first tract containing by estimation one hundred and thirty six acres which said land was conveyed unto David Laird their testorter by deeds of lease and release dated the sixteenth and seventeenth days of ____ to Samuel Lockart, reference thereto being had well more fully and at large appear and bounded as follows, to witt: Beginning on the patent line on the South side of the North River

WILL OF DAVID LAIRD

WRITTEN - 5 Oct. 1799, Will Bk. 1-A, pgs. 38-41; Augusta Co., VA --- PROVEN - 2 Sept 1800, Staunton District Court

In the name of God amen I David Laird of Augusta County and State of Virginia being in a weak state of body but of perfect mind & memory thanks be given unto God. Calling unto mind the mortality of my body and knowing that it is appointed for all men once to die do make and ordain this my last will and Testament, that is to say principally & first of all I give & humbly recommend my soul unto the hands of almighty God that gave it and my body I recommend to the Earth to be buried in a decent Christian like manner at the discretion of my Executors. Nothing doubting but at the general Resurrection I shall receive the same again by the mighty power of God, and as Touching such Worldly Estate wherewith it has pleased God to bless me with in this life I give dermise & dispose of the same in the following manner and form. In the first place I do constitute make ordain & appoint Anne my dearly beloved wife, & Samuel Laird my well beloved son to be my Lawful Executors of this my Last Will and Testament, and in order that all debts due from me shall be discharged I desire that all debts due to me by notes, bonds or accounts that can be obtained or collected, be disposed of to that use as far as is required & the remainder together with all my other Estate both real & personal to be disposed of as follows, First I give & bequeath to Anne my dearly beloved wife the sum of **two thousand three hundred thirty three dollars & thirty three cents.**

- Item I give and bequeath to my beloved daughter Jean Coughran two hundred & fifty acres of land parts of one thousand acres **that Benjamin Logan located for me**, to her and her heirs and assigne forever and the sum of three hundred dollars, [Jean was wife of Robert Cochran]
- Item I give and bequeath to my beloved son James Laird four hundred acres part of one thousand acres **that Benjamin Logan located for me**, to him his heirs & assigne forever and the sum of three hundred Dollars.
- Item I give & bequeath to my beloved son David Laird the full Power of my right of an obligation assigned to me by John Givens for four hundred acres of land on Robert Lamme¹ of the State of Kentucky to him his heirs or assignes forever, the further sum of four hundred dollars and one large Sorrel mare known of being before this time called his.
- Item I give & bequeath to my beloved son Samuel Laird the Balance in which is three hundred & fifty acres of land being **the remainder of one thousand acres that Benjamin Logan located for me** to him his heirs and assigns forever and the sum of two thousand five hundred and fifty Dollars. I order and direct my Executors to make Sale of all my real & personal Estate that I have either in this part of the world or elsewhere for the best price that they can get and for the **real Estate so sold**. By them I do hereby impowere them to make or cause to be made done & executed **at the last payment being to them paid up every cent thereof** a good & sufficient Title in fee. Simple of in and to the premises by them sold unto the purchaser or purchasers as the case may be. I order & direct my Executors to be particular in attending to every directive of **this will**, & after my just debts is discharged, then I direct them to pay off the Legacies hereby by me left paying a respect as they stand in this my Will heretofore named, and this I want my heirs to understand that whereas the times seems to be very Precarious and cash scarce my Executors **may not be by them hurried unto a Sale of my real Estate prematurely** but that they may take such time as they think fill so as to compart(?) with the real interest of my heirs as for my moveable Estate, If there is any over plus after paying my lawful debts, then such over plus to be paid to my Legatees in proportion to what I have left them. Severally if any of my children die without Issue before the arrive to the age of twenty one then in that case I order their part to revert back again into my Estate Just the same as if there had never been such a child. If my Estate should amount to more than has been by me hereby willed in that case whatever is over I direct my Executors to Pay to each of my children are equal share or to their children of any case of any death of my children before that time, and if my estate should not amount to the several sums I have willed then in that case I order & direct that each Legatee is to be reduced in their share hereby willed in proportion to what I have willed them, **all this I impart will be carefully done & attended to by my Executors**, I do hereby utterly disallow reworks & disanull all & every other forever Testaments, Wills, Bequests & Executors by me anyways before named, willed and bequeathed, ratifying and confirming this and no other to be my last Will and Testament. In witness whereof I have hereunto sat my hand & Seal this fifth day of October in the year of our Lord one thousand Seven hundred and ninety nine.

Signed Sealed & Delivered Published & pronounced to be the last Will & Testament of David Laird in his Presence and in the presence of the following witnesses

David Laird (Seal)

George Craig
Abraham Brosius
Jacob Wilberges
John Day
Betsy Martin
John Smith

Staunton District Court Sept the 2nd 1800

This Last Will & Testament of David Laird deceased in as produced as Court by Ann Laird the Executrix therein named & being proved by the oaths of Abraham Brosius & Henry Willanger two of the Witnesses thereto is ordered to be recorded. Whereupon on the motion of the said Executrix who made oath according to Law & together with James Cochran & James Lame be Securities (who were justified as to their Sufficiency) entered unto and acknowledged their bond in the penalty of twenty thousand dollars conditioned as the Law directs. Certificate is granted her for obtaining probate there of as due form

Teste John Coalter Co. S D C

(Will copied as written, spelling errors included)

¹ John Givens had purchased his 197 acre tract. William Lamm was his wife's brother. Both of them had been neighbors of David's on Middle River. Both men had 400-acre tracts as military grants made in 1791 on Little Barren Creek. If this is the land he is speaking of, the land is now in Metcalf County

Will of Anna Scott (Lamme) Laird

[WRITTEN - in Shelby County, Kentucky, 14 September 1811; probated in Harrison County, Kentucky, 9 April 1821.

Reference: *Kentucky Wills Index Volume I; Will Book B 1815-1831.*]

" In the name of God Amen, I Anne Laird of the County of Shelby and State of Kentucky being in perfect health of body & of perfect mind & memory thanks be given unto God. Calling to mind the mortality of my body & knowing that it is appointed for all men once to die do make & ordain this my Last Will & Testament.

That is to say principally & first of all I give and recommend my soul into the hands of almighty God who gave it & my body I recommend to the Earth to be buried in Decent Christian burial at the Discretion of my Executors or administrators. Nothing doubting but at the general resurrection I shall receive the same again by the might Power of God & as Touching Such worldly Estate where with it has pleased God to Bless me in this Life I Give & demise & dispose of the same in the following manner & form. After paying all just Debts & Demands I give & bequeath To my beloved Daughter Jean the two thirds of all the money Due me except what is in the hands of my son James also my bed & every material thereunto belonging & all my other cloaths at my Decease ~

It is to be understood that she is likewise To Have all that part that was left me by my son David. Likewise one mare now in the possession of her or husband. I also give & bequeath to my beloved Son James all the Money that is due me in his own hands. I also give & bequeath to my beloved Son Samuel the one third of all the money due me except what is in the hands of Son James & that part that was left me by son David. I acknowledge this To be my Last Will & Testament as witnessed my hands & Seal this 14th Day of September Anno Domini 1811.

Her

Anne X Laird (Seal)

Mark

Teste

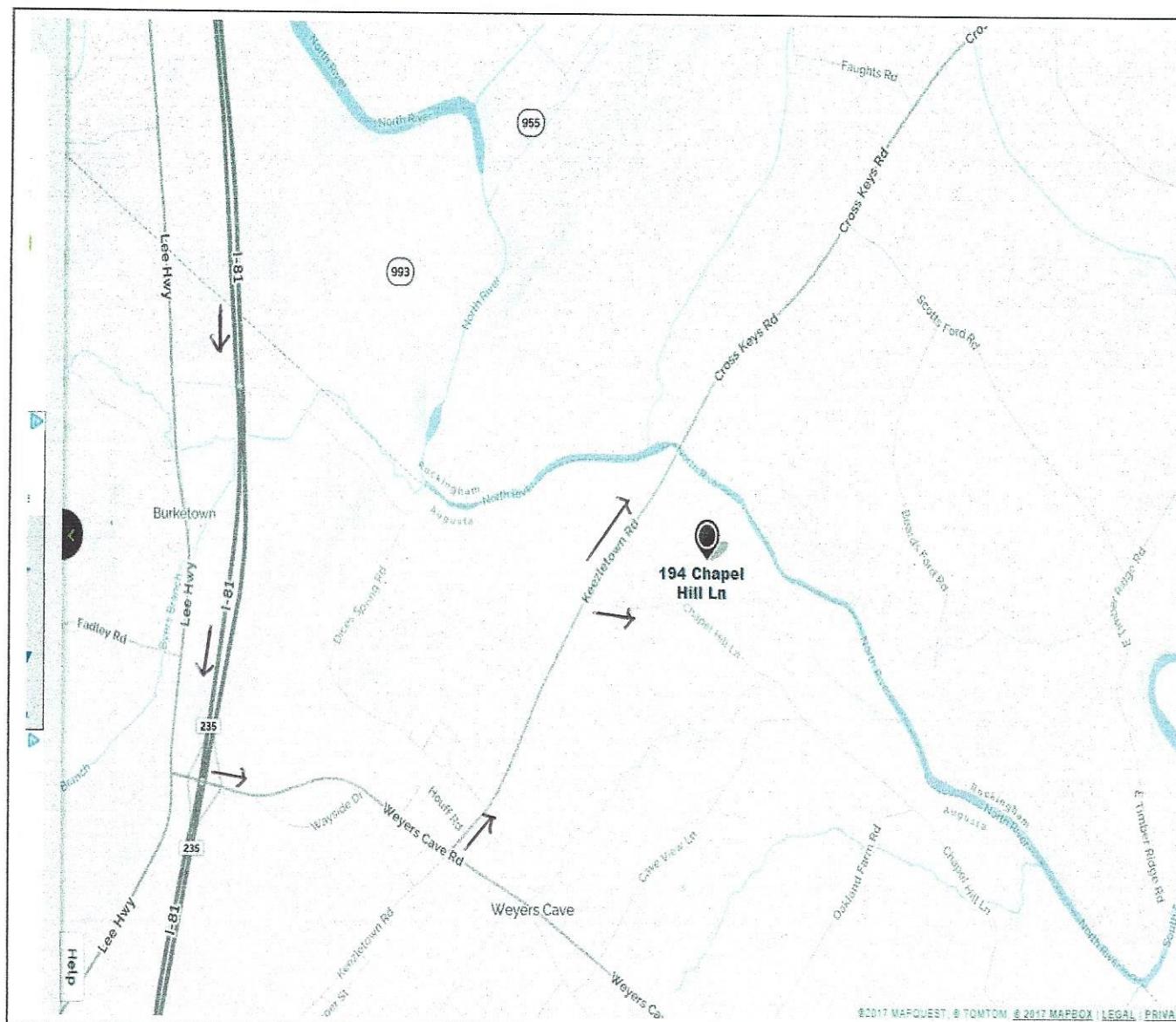
Saml Lamme

Nancy Lamme

W Garmany

This Last Will & Testament of Anne Laird Dec'd was produced into open Court & proved by the oath of Samuel Lamme & William Garmany, two of the Subscribing Witnesses thereto & was ordered to be recorded.

[Ann Scott (Lamme) Laird was the daughter of William Lamme of Augusta County, Virginia and Fayette County, Kentucky. She married Capt. David Laird in Augusta County. He died in Augusta County in 1800 and she went to Kentucky in 1801/2 with her children. She lived with her daughter, Jane (Laird) Cochran for many years. Jane had married Robert Cochran who was also from Augusta County; their Kentucky home was in Shelby/Spencer County.]



Map of part of Augusta County, Virginia where David Laird built his house (194 Chapel Hill Lane, Weyers Cave, Virginia)

To go there, take Rt 81 south from Harrisonburg. Get off at "Weyers Cave" exit. Turn left/East on Weyers Cave Rd. Go about half a mile to Keezletown Rd. Turn Left/North. Drive about a mile to Chapel Hill Lane. Turn Right. Short distance. Turn left. You go past a big red barn. Gate to the house is straight ahead.

This is private property! DON'T TRESPASS!

If you want to see more of the property which David owned, return on the Chapel Hill Lane until you get to Keezletown Road. Turn right. Keezletown is the western border of the 136-acre tract. You will be looking at the property on your right all the way from where you turn on Keezletown to North River.