

William Preston the Surveyor and the Great Virginia Land Grab

Jim Glanville

© 2013

Introduction

One way to tell the story of colonial Virginia is to track the growth of its land area. Land acquisition and surveying were central elements of Virginia's political and economic growth. The first part of this article describes that growth, as it occurred via the county-by-county extension of organized political jurisdiction in the colony. Near the end of the colonial era, the designated surveyors who held office in the newly forming counties of western Virginia came to wield great power and influence in the affairs of the colony. The second part of the article describes the life and career of the surveyor William Preston (1729–1783) of Greenfield and Smithfield, who by the time of the Revolution had become the most powerful and influential county surveyor of all.

By right of discovery, the crown (the English monarchy) claimed and held original title to the land of Virginia. Throughout the colonial period, Virginians transferred the colony's land from the crown into their own private hands.

During the first century of the colonial period, land transfer took place via the system of headrights. The Virginia Company established headrights in 1618 to encourage immigration and provided that "any person who settled in Virginia or paid for the transportation expenses of another person who settled in Virginia should be entitled to receive fifty acres of land."¹ Eventually, the same per capita 50-acre land grant applied to slaves brought into the colony—a practice that Virginia Governor Francis Nicholson in 1699 railed against as a "very Great cheat."² By 1700, lax colonial administration and abuse of the headrights system had allowed a small Virginia oligarchy to accumulate vast private estates.

During the later part of the colonial period, the treasury rights system replaced the headrights system of land transfer. A treasury right allowed the purchase of land in 50-acre lots for five shillings sterling per lot, with a limit on the number of lots any given purchaser could buy. With this new system

of limited land sale, the imperial government hoped both to raise money and simultaneously to prevent affluent men from acquiring huge tracts of land for long-term speculation. Acting under orders from London, Governor Alexander Spotswood attempted for several years to bring the land transfer system under control. In 1714, however, Spotswood—seeing the futility of what he was asked to accomplish—reversed course and purchased much land for himself. After that year, and continuing to the time of the American Revolution, oligarchs and speculators acquired vast areas of crown land west of the Blue Ridge Mountains. In 1734, the formation of the enormous Orange County (see Figure 1) opened huge areas of western Virginia for acquisition and initiated the “Great Virginia Land Grab” referred to in the title of this article.

The period from 1621 to 1709 is what Sarah Hughes designates “The Era of the Surveyor Generals.”³ During this period, the men who occupied the office of surveyor general were invariably Virginians of the highest rank. The duties of the office were to keep a record of all the surveys made, appoint the county surveyors, usually on the suggestion of the justices of the peace of the county where the surveyor resided, and grant commissions to all county surveyors and their deputies.⁴ When the College of William and Mary was founded in 1692, its charter included provisions for the college to take over the duties of the office of surveyor general and for that office to become void once the college was functional.⁵ The reasons for this change were complex, though both political infighting and the desire to provide an income for the college were among them. After 1709, and with the demise of the surveyor general’s office, county surveyors gained power and influence, and particularly so in the western counties, which were vast and little settled, and where the county surveyor could select and survey the best land for himself and his friends.

County surveyors in eastern Virginia traditionally belonged among the political, economic, and social leadership. In newly formed western counties, a skillful and ambitious man from the lower social ranks, or even an immigrant such as William Preston, could leverage his way into the ranks of the elite via the office of county surveyor. Despite his humble origin, William Preston upheld and perpetuated the conservative social order of wealthy, eastern Virginians. In part, because the conservative elite so successfully co-opted and incorporated talented men of lower rank, Virginia avoided much of the social unrest seen in the second half of the eighteenth century among the frontier populations of the adjacent colonies of North Carolina and Pennsylvania. Historian Lynn Nelson observed that “By the 1760s and 1770s, the inhabitants of the southern backcountry went from

impudence into full-blown civil insurrection. Colonial elites met uprisings like the Paxton march [in Pennsylvania] and the Carolina Regulations [the Regulator movement in North Carolina] with aristocratic contempt, demanding that backwoods rioters recognize their social inferiority and leave political matters to their betters.”⁶ It is noteworthy that western Virginia remained free of insurrection and uprisings.

Historians have written numerous books and articles about the manner in which Virginians engrossed the crown’s land as outlined above and a number of such works are cited in the present article. Two books, already cited above, have been particularly useful in the preparation of this article and deserve special mention.

The first book deserving special mention is Sarah Hughes’s 1979 *Surveyors and Statesmen*.⁷ She tells in this book that after 1740, as vast areas of western land were organized into counties, the colonial county surveyors of the region rose in power and prestige in an unprecedented way. Hughes notes that some 5,000 square miles of the Tidewater had been surveyed and settled between 1607 and 1700, while from 1700 to the time of the Revolution, over 45,000 square miles of new territory were surveyed.

The second book deserving special mention is Anthony Parent’s 2002 *Foul Means* in which he describes the formation of Virginia’s slave-based society from 1660 to 1740. This book develops the concept that Virginia was created by the continuous and long-lasting taking of land from the crown by the colonists. “The Landgrab” is the title of the first chapter of Parent’s study.⁸ In that chapter, he examines the origins, behavior, and ideology of Virginia’s great-planter class and concludes that its members gained power by organizing land, labor, and trade to serve their interests. Parent’s “Landgrab” covers roughly the years 1630 to 1740, while the “Great Virginia Land Grab” described here covers roughly the years 1740 to 1783, with 1783 being the year of William Preston’s death.

The second part of this article, which focuses on the surveying career of William Preston, shows how that career places a capstone on the great eighteenth-century colonial land grab. The occupation of surveying was Preston’s life’s work, and his skill and success at it, and the opportunities for dealing in land that it brought, enabled him to become wealthy, powerful, and influential. As Wirt Wills has noted, “William Preston became the important person that he was because he was the epitome of the colonial county surveyor of the eighteenth century in Virginia” and that almost overnight this Scots-Irish immigrant entered the ranks of the elite Eastern Virginians, “who normally took generations to evolve.”⁹ Biographies of Preston consist of a 1971 master’s thesis, a 1976 book by a regional

historian, and a 1990 Ph.D. thesis.¹⁰ These biographies describe and detail Preston's civic, military, political, and personal life, aspects of his life that are only briefly and incidentally mentioned in this article. William Preston's 31 years as a deputy surveyor or surveyor, from 1752 until his death in 1783, coincided with an important and complicated phase of the history of colonial Virginia.

Sarah Hughes sums up William Preston's surveying career as follows:

The ability of William Preston and Thomas Lewis to defend their interests against encroachment of powerful speculators like Washington and Dunmore is indicative of the autonomy and power of the last generation of colonial surveyors in Virginia. Consolidation of authority was closely related to the fact that men of their era throughout the colony had more stable careers than any of their predecessors except those in the last third of the seventeenth century. Surveying in the years between 1750 and 1776 was more often a lifetime vocation. Ten men of this generation worked as surveyors for thirty or more years, another seventeen spent from sixteen to twenty-nine years in the profession, and five others surveyed for from ten to fifteen years. Thus, in the generation whose service extended from mid-century until after the Revolution, the profession had a large corps of men of extensive experience. Not coincidentally, these were the surveyors who measured the last frontier within the bounds of modern Virginia.¹¹

Commenting on Hughes's work, Stephen Strausberg added:

The last and most tempestuous period of the surveyor of Virginia occurred between 1773 and 1775. Under pressure from land speculators, Governor Dunmore sanctioned the preliminary survey of the Ohio Valley. The dubious legality of his actions created a controversy over the legitimacy of land claims. Many county surveyors who participated in the final surveys, such as William Preston, John Floyd, and George Carrington, were later enthusiastic supporters of the patriot cause. Moreover, their knowledge of the topography of the backcountry served them in good stead during the Revolution.¹²

Quantification of the Growth of Colonial Virginia's Land Area

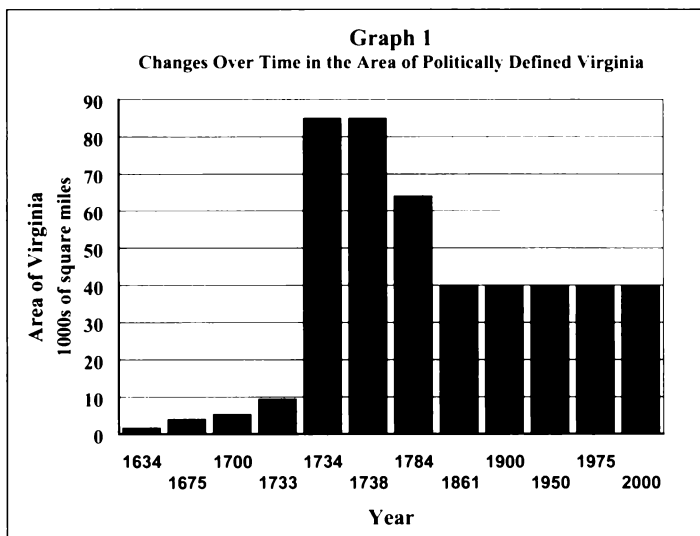
The growth (and eventual decline) of Virginia's land area is summarized numerically in Table 1 and depicted visually in Graph 1.

Table 1: Changes over Time in the Area of Politically Defined Virginia

Year	Approximate Area of Virginia (Square miles)	Comments
1634	1,700	Virginia's original shires
1675	4,000	Counties added around the Chesapeake Bay
1700	5,300	Counties added on Northern Neck, etc.
1733	9,400	Counties added in the Piedmont
1734	85,000	Creation of Orange County (conservative estimate)
1738	85,000	Augusta County created from Orange
1784	64,000	After western land was ceded to the federal government
1861–2012	40,000	Present Virginia after the creation of West Virginia

Note to Table 1:

The principal sources of the area data for this table have been the *U.S. National Atlas*¹³ and the *Atlas of Historical County Boundaries* (Virginia file). The author has on file a table he prepared that shows the changing area of Virginia as counties were successively added, from which the above data has been abstracted. The land areas in column 2 are rounded, and the comments in column 3 are generalizations. The 1734 value noted above and taken from the *Atlas of Historical County Boundaries* is labeled a conservative estimate because it can easily be argued that Orange County, Virginia, extended to the Pacific.¹⁴ The area of the entire U.S. is about 3,700,000 square miles, so modern Virginia is about 1 percent of the U.S. area.



The complex story of the formation of Virginia's counties and their subsequent subdivisions from larger county units into smaller ones has been told at least twice in print.¹⁵ In 2010, the Newberry Library in Chicago published online sets of state maps¹⁶ showing over time the boundary changes of every county in every state.¹⁷ Data from the Newberry Library file of Virginia county maps is incorporated into Table 1, and several maps from that file are reproduced in this article.

An excellent online animation showing the county-by-county growth of Virginia has recently been made available via the genealogical community.¹⁸ This animation, which can be stopped for examination at any county formation date, is an extremely useful adjunct to the work presented in this section of the article.

Overnight, with the formation of Orange County in 1734 as quantified in Table 1 and Graph 1, and mapped in Figure 1, the area of politically defined Virginia¹⁹ increased approximately nine-fold. It could be said that this is the beginning moment of the great Virginia land grab.

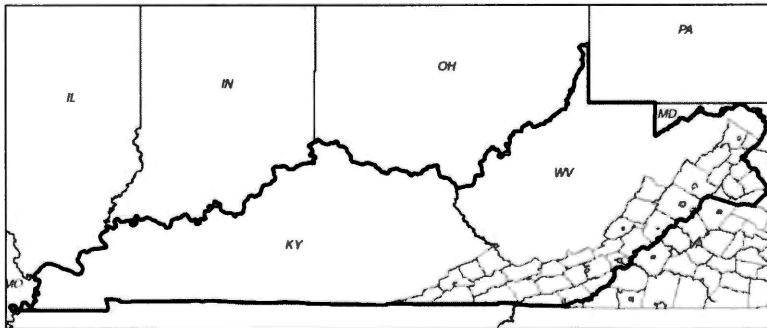


Figure 1. The *Atlas of of Historical County Boundaries* "Version 1" map shows Orange County, Virginia, as it was formed in 1734 with an area of 80,246 square miles.²⁰ Its formation increased Virginia's land area roughly nine-fold and much more if Orange is considered to extend to the Pacific coast.

Just four years later, in 1738, Augusta County was formed from the western 95 percent of Orange County. A few pioneers were doubtless already there when the county formally came into existence. However, Augusta's settlement, principally by Scots-Irish immigrants, began in earnest around 1740 as a consequence of a somewhat unlikely collaboration between the influential Essex County oligarch William Beverley and the Irish-born ship captain James Patton.²¹ Patton was William Preston's uncle.

Today, the citizens of Augusta County are justifiably proud of their county's heritage as one of the largest ever Virginia counties and as a county

that plays a special role in Virginia's history. Augusta County originally covered an enormous area (from the Outer Banks to Minneapolis) as shown on the map in Figure 2.²² A six-foot-wide stone reproduction of the map in Figure 2, which stands on the forecourt of the Augusta County courthouse, is seen in Figure 3.

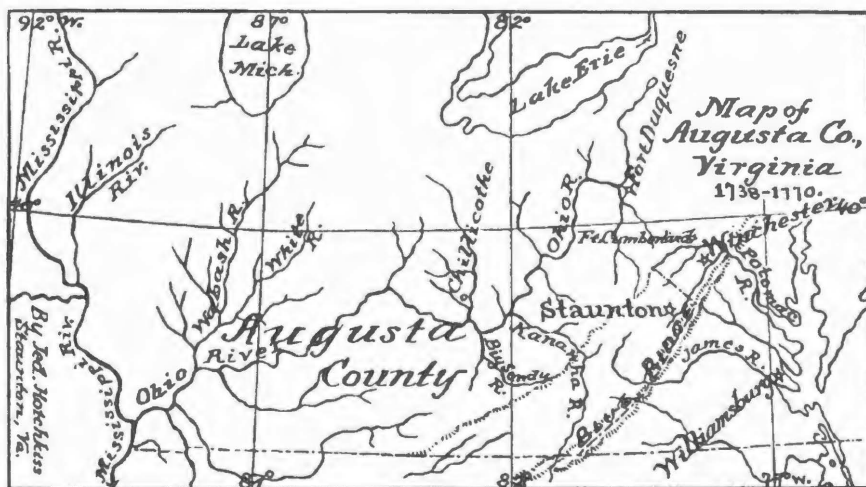


Figure 2. Jedediah Hotchkiss's "Map of Augusta Co., Virginia, 1738-1770," prepared for and published as the frontispiece in the first edition of Joseph Waddell's history of Augusta County in 1886.

Longtime cartographer Jedediah Hotchkiss (1828-1899) lived in Staunton and is best known as being the maker of maps for General Stonewall Jackson and his topographical engineer.

The map scale is approximately 1,200 miles west to east and 600 miles north to south.

Figure 3. The stone version of the 1886 Hotchkiss map lies at the foot of the flag pole in front of the Augusta County courthouse in Staunton, Virginia. Photo by Jim Glanville, January 2011.

The monument was dedicated on November 9, 1988, the 250th anniversary of the formation of Augusta County.

John S. Hale of Staunton designed the monument, and it was made by Tony Grappone of Richmond.



Land Acquisition in Colonial Virginia

The broadest treatment of the subject of land acquisition in colonial Virginia is the book by Daniel Friedenber, provocatively titled *Life, Liberty, and the Pursuit of Land: The Plunder of Early America*.²³ Here is the opening of chapter 4:

Colonial Virginia is the story of land jobbery [conducting public business for improper private gain] based on the Siamese twins of tobacco and slavery. The obsession of Virginians for land began early: In order to encourage immigration the Virginia Company had allotted fifty acres of land to proprietors for every person they brought to the colony. The practice was continued by the crown after the company lost its charter

However, compare Friedenber's quote with professional historian W. Stitt Robinson, Jr.'s statement about seventeenth-century land acquisition in Virginia:

The abuses of the land system and lax enforcement of its major principles brought forth a detailed discussion of its many facets by the Board of Trade near the end of the century. Reforms were proposed that would enhance the royal revenue by collection of the quitrent [land tax] and would prevent the accumulation of large estates. But the existence of vast areas of unoccupied land on the frontier militated against the restriction, and there was considerable opposition to feudal tenures and to the payment of rents to the crown. The proposed reforms did not prevent the acquisition of large land holdings; the few large estates of the seventeenth century increased both in number and size in the eighteenth century, and from them were developed the large plantations of some of the well-known Virginia leaders of the American Revolution.²⁴

As noted in the introduction, Sarah Hughes calls the period 1621–1709, during which the headrights system was the key to vast Virginia land acquisition, the “Era of the Surveyor Generals.” During most of this period, the office of surveyor general was powerful and prestigious and held only by men with full-fledged membership in the Virginia oligarchy such as Peter Beverley and John Robinson. The concentration of power in the hands of just twenty or so Virginia families (including those of Beverley and Robinson) has been described recently by Emory Evans.²⁵ At the end of the seventeenth century, the aggressive, new land-seeking elite battled with the colony's governors and ultimately with the king about how Virginia's land would be owned and controlled.

In British America, ultimate bureaucratic authority for surveying and documenting land fell to the Plantations Office, commonly referred to as the Board of Trade. As part of a program to codify the state of English colonies around the world, the board in 1670 directed that all colonies develop detailed maps of their land, cities, rivers, and coastlines. In Virginia, this task was undertaken enthusiastically, with most colonists obtaining surveys of their own property. Virginians commissioned plats of their land defined by lines between natural landmarks such as trees, rocks, and river bends, and deeds to platted property included a map of its “metes and bounds.” With the introduction of platting, the geodetic description of land replaced the earlier customary method that described property by its topography and usage. As a consequence of these developments, “between the 1690s and the 1720s, Virginians quadrupled the amount of land that had been surveyed.”²⁶

Anthony Parent wrote, “By the 1690s, planters were aggressively acquiring Indian land by fraud, petition, and leasehold. Indians began to sell land to the English but also complained of English theft and treachery in land dealings, which the government continued to attempt to check.”²⁷

In 1698, the Board of Trade instructed the newly appointed Governor Francis Nicholson, who held office from 1698 to 1705, to slow the acquisition of Virginia land by allowing only the taking up of homesteads or family farms. The board wanted Virginians to take up more land in order to generate more revenue for the crown in the form of rent (the so-called quitrents); however, it wanted to end the acquisition for private gain of land that would not be settled. To this end, the board advised Nicholson that “none shall acquire a Right by merely importing, or buying of servants.” Thus began a process by which “royal governors tried to wrest control over the land from the great-planter class.”²⁸ Nicholson was popular in the House of Burgesses and with Virginians at large. However, his efforts to implement the board’s orders to curb fraudulent land grants, even with moderation, led him into direct conflict with the members of the Virginia Council and a stalemate. Eventually, Nicholson was recalled, and the “mighty dons” were left holding the field.²⁹

In 1706, in a statute called “The Duty of Surveyors,” the Virginia legislature promulgated rules that established how surveyors functioned until the American Revolution. The statute imposed a regulation requiring that a claim to land by patent could be made only by the sworn and commissioned county surveyor (or an authorized deputy) of the county in which the land was located. This statute contributed to the western county surveyors acquiring great power. As described in the introduction, the headrights system of seventeenth-century land acquisition was supplemented and eventually

replaced in the eighteenth century by the system of “treasury rights.”³⁰ The system of land acquisition both evolved over time and required several steps before an individual could acquire legal title. It was, as Virginia librarian Minor Weisiger notes, a “complicated process to understand.”³¹

After Governor Nicholson’s departure and following short terms of office by three different Virginia governors between 1706 and 1710, the battle between the crown and the oligarchs for Virginia’s western land was joined in renewed earnest with the arrival of a new, young (aged 35) governor. Alexander Spotswood, who was actually lieutenant governor to the absentee George Hamilton, Earl of Orkney, lived in Williamsburg from 1710 to 1722. After his term of office, he went to England in 1724 to marry and to secure title to his Virginia lands. He returned to Virginia in 1729 to live at Germanna on the Rapidan River in the newly created Spotsylvania County and continued there until his death (while on a visit to Annapolis) in 1740.³²

Spotswood was a well-trained English soldier who understood the global reach of the British Empire and realized that French presence and control of the inner part of North America, along the corridor of the St. Lawrence and Mississippi rivers, threatened permanent constriction of the Virginia Colony to the coastal plain. He saw the need for Virginians to settle their western land. Thus, in 1716, Spotswood personally led an expedition party of leading Virginians, to which history gives the colorful name of “The Knights of the Golden Horseshoe.”³³ Emory Evans wrote:

Alexander Spotswood’s exploratory trip across the mountains in 1716 and his subsequent acquisition of large amounts of land in the new county of Spotsylvania had turned the eyes of wealthy Virginians westward. Robert Beverley and Thomas Lee, among others, had been involved with Spotswood, and it was Beverley’s son William who in the 1720s and early 1730s began aggressively to explore the possibility of acquiring land west of the mountains. Time was of an essence because “northern men” were busily taking up land and bringing in settlers from Pennsylvania and elsewhere. Beverley and some associates, the “first discoverers,” had trouble getting their land surveyed, but in early 1732 the survey had been finished, and they “sold the Land to a pensilvania man for 3 lbs [pounds] of their money pr hundred.” This had been done without obtaining grants for the land, and Beverley wrote on April 30 to what appears to have been a member of the council requesting that he obtain an order for 15,000 acres “at the first Council held after you receive this.” The rights were granted on May 5; he was in the clear, providing that “the same do not interfere with any of the Tracts already granted in that part of the Colony.”³⁴

During Spotwood's twelve-year tenure as governor, conditions were put in place for the subsequent opening up of the western regions for the Great Virginia Land Grab. After trying for ten years to get the Virginia oligarchs to actually settle their western land, as opposed to holding it for sale and profit, he switched horses. According to Manning C. Voorhis,

By 1720 Spotswood was ready for what appears to be a complete about-face on his former land and quitrent policy. This reversal was partly acceptance of the inevitable and partly the result of a new policy for the encouragement of westward expansion. The method of encouragement adopted was mainly the result of a further surrender of the views of the Board of Trade. This translation was made easier by a new viewpoint assumed by the governor.³⁵

Fairfax Harrison, a student of the history of Virginia land grants, reports that after his governorship, Spotswood

became a frontier landholder. Indeed, the 85,000 acres he put together in one boundary before 1727, reaching eight or ten miles about Germanna, made him the tallest tree in that forest until Robert Carter outgrew him. In doing this he did not, however, belie his earlier denunciation of the speculators. Uniformly, he had directed his criticism not to the extent of the holdings, but to the dog in the manger policy by which the "great tracts" remained "for the greatest part uncultivated to the great prejudice of the colony and the discouragement of future adventurers where they can find little or no convenient land to plant upon."³⁶

By 1731, legitimate settlers were on the lands of the Fairfax grant in the northeastern end of the Valley of Virginia; squatters had been there perhaps a decade earlier. In the south, Brunswick County, created in 1720 and originally incorporating most of Southside Virginia east of the Blue Ridge, was beginning to be populated. In between, Orange County and Beverley Manor were on the verge of formation and settlement. These developments and the frenzied climate for the acquisition of western land set the stage for William Preston's arrival in Virginia and his subsequent career as a deputy and county surveyor.

By the 1740s, the power and influence of Virginia's surveyors became strongly localized, particularly after 1744, when they were required to live in the county where they practiced. This was the situation in the frontier county of Augusta and the many successor counties into which it eventually was divided.

When the first Augusta court met in 1745, the English crown held theoretical title to the county's land. However, Virginia's governor and the Virginia Council exercised actual practical authority for the dispensation of the land without any involvement from the government in England. The key figures in the acquisition of crown lands were the county surveyor, the colonial secretary, and the governor and members of the Virginia Council. The process of an individual acquiring land could be initiated in one of two ways: either by directly petitioning the governor and council in Williamsburg for a grant of land, or by filing an entry with the county surveyor, Thomas Lewis, requesting that he survey the desired land. In the latter case, once Lewis (or one of his deputies, such as Preston) had completed the survey, the applicant took the plat to Williamsburg and filed it with the colonial secretary's office. Once the freehold patent was issued, the applicant had his land.³⁷

Preston's career coincided with the time period of Virginia's greatest geographic expansion, which accelerated after Governor Alexander Spotswood abandoned his efforts to control the western land grab. Manning C. Voorhis wrote that between 1728 and 1748:

more land was patented than in the first hundred years of the colony. Grants of ten and twenty thousand acres became routine business, and soon speculators reached out for tracts extending to over a hundred thousand acres. Most of this was done in contradiction to orders from England. But who was there to protest?³⁸

During this period, Virginia Council members and their friends were particularly favored. West of the Blue Ridge, men such as William Beverley and Preston's uncle James Patton were promised an additional 1,000 acres for every family that came to live on their already-granted tracts of about 100,000 acres each. Beverley was a council member and Patton's sponsor. After they paid some upfront expenses for exploration, surveying, and to hire land agents, the Virginians gained full ownership of the land, which they then sold or rented to settlers. The Virginians had developed a fine system for making raw material from crown land.³⁹

In July 1749, the Virginia Council made enormous land grants to syndicates of well-placed men. The Loyal Company (John Lewis, Thomas Lewis, Edmund Pendleton, Peter Jefferson, Thomas Walker, and others) was granted 800,000 acres (1,250 square miles) on Virginia's southwestern frontier. On the northwestern frontier, the Ohio Company (Thomas Lee, John Mercer, Lawrence Washington, Robert Dinwiddie, the Duke of

Bedford, and others) was granted 200,000 acres (300 square miles). These and other powerful land companies competed for western land until the time of the Revolution. William Preston frequently surveyed for the Loyal Company land.⁴⁰

The Work of the Frontier Surveyor

For individuals who traveled in person to the frontier to acquire land, the role of the county surveyor was critical to their success or failure. Professor Turk McCleskey explains:

For strangers confronted with vast expanses of unfenced and apparently unmarked territory, the task [of finding available land] was all but impossible without assistance from established inhabitants and county officials. Unfortunately for newcomers, these key individuals had little incentive to help strangers locate crown lands. Many settled Augusta County residents had land of their own to sell, while others found unwelcome any competition for interstitial land that they themselves intended to patent.⁴¹



Figure 4. This surveyor's compass (circumferentor) and chain are held on permanent display at Smithfield Plantation in Blacksburg. Both the circumferentor and the 66-link chain seen here have no historical association with William Preston. However, they are similar to those that would have been used by him and his deputies.

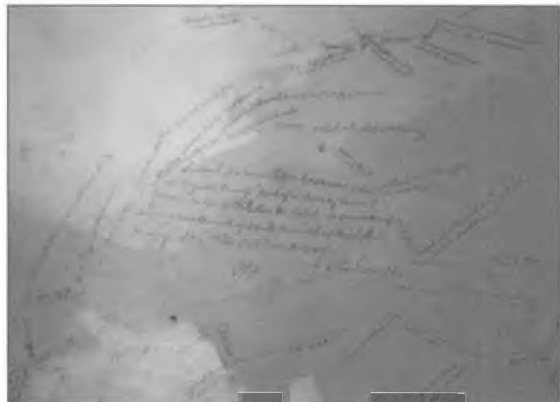
The displayed compass was made by Goldsmith Chandlee (1751–1821), a notable instrument maker who worked in Frederick County, Virginia. Photo by Jim Glanville, 2012.

When the eighteenth-century surveyors worked, accuracy took a distant second place to celerity. The surveyors covered vast areas of the Appalachian mountains and forest, far from their home bases, using compasses and chains (Figure 4) to achieve so-called closed traverse surveys. It was a business of rough and ready practice in the wilderness, and the surveyors operated in difficult terrain to make their measurements. Yet these men left behind many documents that they themselves wrote.⁴² Hughes reproduces two pages showing a survey of “Walnut Bottom” from the fieldbook of William Preston as an example of a surveyor at work.⁴³ After they returned from their surveys, records of their work in the field became part of the permanent records of the county clerk. Survey book one at the Augusta County courthouse is shown in Figure 5, and an entry in that book is shown in Figure 6.

Figure 5. Shows Augusta County Surveyor’s Record 1 (survey book one). The original land surveys in Augusta County are readily available for examination and study in the present-day courthouse in Staunton. Seen across the room behind the record book is the office of the Clerk of the Augusta Court. Photo by Jim Glanville, January 2011.



Figure 6. The Springfield Plat entry in Augusta County Surveyor’s Record Book Number 1, is found on page 46. This original record has been enclosed in thick protective plastic. The writing, which cannot be seen well in this reproduction, is quite clear and states: “Surveyed for James Patton 4000 acres of land in Augusta County part of an Order of Council granted to the said Patton. . . . This 15th day of December 1748.” It is signed “Tho Lewis sac,” where “sac” stands for “surveyor, Augusta County.” John Buchanan was the field surveyor, and it is conceivable that he was accompanied by a young William Preston when he made this survey earlier in 1748. This land is in present-day Pulaski County. Photo Jim Glanville, January 2011.



William Preston, the Deputy Surveyor of Augusta County

William Preston (see Figure 7) arrived in Virginia from Ireland on August 26, 1738 at an uncertain port (perhaps modern-day Tappahannock) on the Chesapeake Bay aboard the vessel *Walpole*, captained by his uncle James Patton. He was nine years old and came with his parents, John and Elizabeth Preston. Elizabeth was Captain Patton's sister. The Preston family soon settled in Augusta County, Virginia, near present-day Staunton (see Figures 2, 3, and 8). William Preston had received some education in Ireland, and in Virginia was taught history, mathematics, and penmanship by the Rev. John Craig of the Tinkling Springs Presbyterian Church. As Preston's later life attests, Craig must have educated him well.



Figure 7. William Preston spent his childhood in the north of Ireland, followed by a remarkable life on the frontier of western Virginia. He lived to be 54 years old.

This image was published in 1938 by F. B. Kegley, who identified it as Preston.⁴⁴ The author has been unable to locate any evidence regarding the origin of the image. Used with permission of George Kegley.

Little is known of William Preston's early life in Augusta. However, the bustling neighborhood around the county courthouse on the land called Beverley Manor,⁴⁵ popularly known as the Irish tract, would have been an exciting place to spend his formative teenage years. His father opened an ordinary (tavern) in 1746, where Preston would have found himself at the center of the social and commercial life of Augusta County. He matured amid a cultural ferment of highly competitive immigrant families jostling for places of leadership in a young county, which from 1738 to 1745 held its court in Orange, some 70 miles to the east, before beginning to hold court in Staunton.⁴⁶ Beverley Manor was a 185-square-mile tract of land on which, in 1736, the Tidewater planter and Virginia House of Burgesses member William Beverley had obtained rights to sell land to settlers.

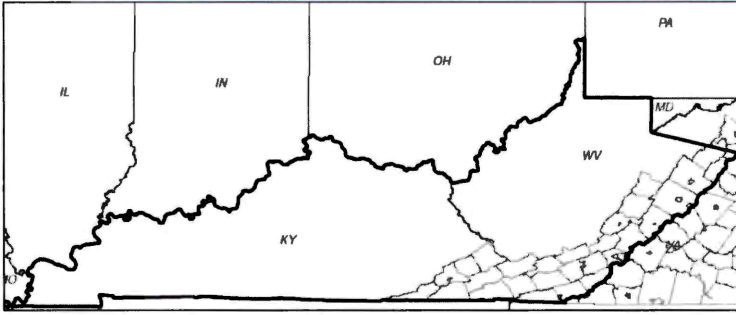


Figure 8. The *Atlas of Historical County Boundaries* “Version 1” map shows Augusta County as it was formed in 1738, from Orange County, with an area of 75,640 square miles.⁴⁷

The *Atlas* notes that Orange County’s “western boundary limits [were] indefinite.” So, one could argue, were Augusta’s.

In 1738, the Scots-Irish immigrant John Lewis⁴⁸ became William Beverley’s land agent for Beverley Manor. Subsequently, when the Augusta County government was established in 1745, John Lewis’s son Thomas, aged 27, was appointed county surveyor, a post he held until 1777.⁴⁹ Given his uncle’s land interests, it was natural for William Preston to learn surveying. Preston was 17 when his father died in the winter of 1747–1748. Probably by 1749 or 1750, Preston was *de facto* apprenticed to the surveyor Thomas Lewis, and on November 20, 1752, he formally became a deputy surveyor to Lewis.⁵⁰ Richard Osborn reports that Preston was surveying illegally (before becoming licensed in 1752) and that Preston’s Survey Book recorded 42 pieces of property surveyed in the New River grant March–May 1751. The New River grant was part of James Patton’s 1745 “Great Grant,” which is described below. Of those 42 surveys, 36 were on behalf of “Col. Patton & Company.” Already at the age of 20 Preston had acquired 799 acres of land from William Beverley, about half of which he sold two years later, making nearly 600 percent profit.⁵¹ Preston learned surveying well, and as Osborn says, “By the time of his uncle’s death in 1755, Preston stood in a position to earn an independent livelihood from fees earned as a surveyor and from his ability to buy and sell his lands for a profit.”⁵²

His initial rise benefited from the energy and good fortune of his uncle, James Patton.⁵³ Placing him in illustrious company, Sarah Hughes wrote of Patton, “None could compete with William Beverley, William Byrd, or James Patton, as giants of land speculation.”⁵⁴ After Patton died in 1755, Preston, then 26 years old, took over his uncle’s land interests, initiating his own spirited and successful career.

When his uncle died, Preston had already spent three years as deputy surveyor to Thomas Lewis in Augusta County. He continued in that position

for an additional 15 years before successively becoming County Surveyor for the then newly created counties of Botetourt (in 1770), Fincastle (in 1772), and Montgomery (in 1777). He held the Montgomery office until his death in 1783. His career as a surveyor is summarized in Table 2.

Years	County	Area of the County (in square miles)	Origin of County	Preston's Role
1752–1770	Augusta	75,640	Created in 1738 from largely unsettled land	Deputy surveyor
1770–1772	Botetourt	61,515	Created from a large part of Augusta	Surveyor
1772–1777	Fincastle	53,171	Created from a large part of Botetourt	Surveyor
1777–1783	Montgomery	8,741	Created by division of Fincastle	Surveyor

Note: By the division of Fincastle County in 1777, the counties of Washington (4,020 square miles), Kentucky (40,411 square miles), and Montgomery (8,741 square miles) were formed simultaneously.

A particular advantage for Preston (and other surveyors) was being the first to know where the best portions of any newly examined land lay and being in a position to secure some of it for himself. In an appendix to his thesis, Richard Osborn gives a detailed accounting of Preston's lifetime land transactions. The list begins in 1748 with 520 acres Preston inherited from his father and ends 35 years (and 61 appendix pages) later with the 20,513 acres (or 31½ square miles) of land listed in his estate records at the time of his death.⁵⁵

In 1752, at the time William Preston was beginning his legal apprenticeship as a surveyor, approving land grants had become the principal administrative function of the Virginia Council. Hughes writes that the "councilors' share in the pillage of Virginia's landed domain contributed to the consolidation of power" among the Virginia elite families and that frontier surveyors such as Thomas Lewis and later William Preston could be characterized as junior partners "in the great land speculations of the age, men of influence and wealth in their own right whose assistance was requisite to the success of any land venture." Recent immigrants to Virginia who succeeded in becoming frontier surveyors quickly became gentlemen and founded their own regional dynasties.

From the time of his licensing in the fall of 1752, until May 1755, Preston maintained an intensive schedule of surveying in the watersheds of the James and Roanoke rivers in Augusta County. On record, in December 1752 he made 25 surveys; in 1753–1754, he made 219 surveys; and in 1755 (during the first five months of the year), he made 183 surveys. Including the 42 illegal surveys he made in 1751, he made a total of 469 recorded surveys between March 1751 and May 1755.⁵⁶ During this period, in 1754, Preston surveyed property near present-day Blacksburg that he would purchase 20 years later for the site of the Smithfield Plantation. All of the 1751 illegal surveys were legalized by the Virginia Assembly in 1778 during the Revolutionary War.⁵⁷ Some of the 1752–1755 surveys were made by Preston on behalf of the Ohio Land Company.⁵⁸

In May 1752, William Preston, acting as James Patton's secretary, accompanied Patton to the negotiation of the Treaty of Logstown, Pennsylvania, where leaders of the Six Nations of the Iroquois negotiated with three Virginia commissioners—Patton, Joshua Fry, and Lunsford Lomax. Christopher Gist served as a fourth negotiator, and represented the Ohio Land Company.⁵⁹ The terms of the treaty gave Virginians access to land west of the Allegheny mountains as far as the Ohio River. Being present at the Logstown negotiations was likely a heady and educational experience for the young Preston.

Sarah Hughes describes the work of a western Virginia surveyor as a hectic business, as it would have been for Preston during these early years on the frontier:

Pressed by the rapid movement of farmers and the greed of land speculators, surveyors at times quite literally raced across the piedmont, through the Valley of Virginia, and over the Alleghenies on to the waters of the Ohio River. Their fieldbooks show a staggering pace of work incomprehensible to the modern surveyor trained to carefully delineate the bounds of more valuable real estate. These men roughly traversed a wild terrain, sometimes not bothering to dismount from their horses and almost always taking shortcuts that would be condemned today, but they performed the job their contemporaries demanded by the speed with which they converted tracts of public land into private farms.⁶⁰

Significant historical events occurred throughout Preston's life on the frontier, and external forces greatly influenced his work as a surveyor. The French and Indian War (1754–1763) brought a hiatus to Preston's busy surveying activities. In December 1775, he ran unsuccessfully for the Augusta

County seat in the House of Burgesses. In early 1756, Preston was a member of the abortive Sandy Creek expedition that failed to penetrate as planned the Indian homelands in the Ohio country, and returned with its members broken and starving. He served as a ranger captain during the next several years. At various times in 1756–1758, he commanded troops on the Bullpasture River and built Fort George, located in Highland County about 50 miles northwest of Staunton, in spring 1757. Life during this period was difficult on the Virginia frontier, with conflict waxing and waning between the settlers and Indians. During the war years, Indian conflict was part of daily life. Writings by Lyman C. Draper that may possibly have been originally prepared by William Preston himself and preserved by the State Historical Society of Wisconsin, tell that 307 persons on the frontier were killed, wounded, or captured by Indians between 1755 and 1758 and that “many more” fell victim between 1758 and 1764.⁶¹ In the years 1756–1760, Preston made only about 30 surveys.⁶²

After 1763, Preston’s surveying operations in the west were officially—but not actually—ended when George III decreed that no land claims beyond his “proclamation line”⁶³ could be legally made by Americans in an area the king declared was an Indian Reserve. However, actual and attempted land acquisition remained rampant. Settlers, who, perhaps, could more appropriately be called squatters, and speculators continued to stake out claims in the trans-Allegheny region, even if they thought or suspected their claims to be illegal. Elite Virginians politicked, their agents lobbied in London, and in Williamsburg they pressured ever-susceptible successive governors either to find loopholes in English directives or simply ignore them. Meanwhile, without the benefit of Preston or any other surveyors, ordinary people kept trekking west and asserting “tomahawk” rights to land they marked by cutting notches on trees. As the Revolution approached, the glimmerings of a new government arose, perhaps to bring with it a new order. Settlers and speculators gambled that a presently illegal claim might become a legal one. The one significant exception to the rule prohibiting the acquisition of land beyond the proclamation line was the issuance of military land warrants for service in the French and Indian War, authorized under the terms of the proclamation.⁶⁴ Enlisted men received dozens of acres, and officers received hundreds or even thousands of acres of land. During this period, Thomas Lewis, the Augusta County surveyor, instructed his deputy, William Preston, to survey east of the proclamation line and not violate it but also to take requests for surveys beyond the line so that they could be made promptly when the western land legally opened.⁶⁵

For the years from 1762 to 1769, William Preston’s account book contains 29 pages in which he lists the names of persons for whom he

surveyed land, the charges he made, and some of the locations where those surveys were made.⁶⁶ His surveying pace picked up dramatically as the decade proceeded. In 1765 he made only six surveys; in 1766 he made 23; in 1767 he made 150; in 1768 he made 64; and in 1769, his last year as a deputy surveyor in Augusta County, he made 52. During 1767–1768, he was making as many as four surveys a day and earning an income that placed him in the ranks of the Virginia elite.⁶⁷ During the fall of 1768 and the spring of 1769, he also made somewhat over 100 surveys (not included in the preceding counts) on behalf of customers of the Loyal Land Company.⁶⁸

William Preston, the County Surveyor of Botetourt, Fincastle, and Montgomery

As shown in Table 2, Preston’s entire career as a surveyor lasted 31 years. The first 19 years he spent as deputy to Thomas Lewis in Augusta County, followed by 12 years as the county surveyor successively of Botetourt (two years), Fincastle (four years), and Montgomery (six years). The locations of his three homes are shown in Figure 9.

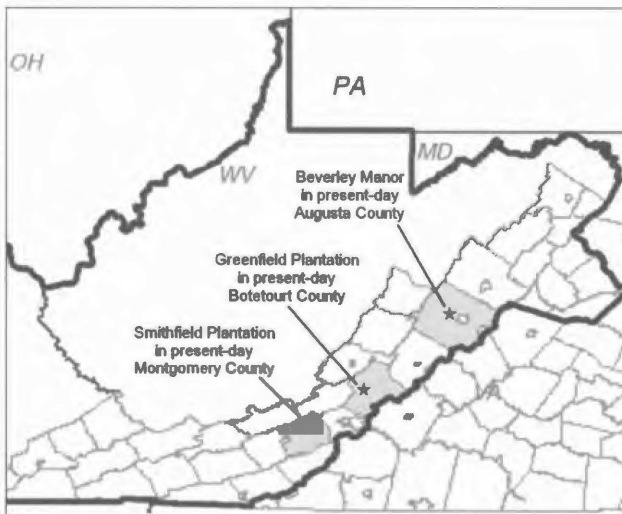


Figure 9. The homes of William Preston are shown here on a portion of the *Atlas of Historical County Boundaries* “Version 1” map of Orange County (see Figure 1).

From 1738 until 1761, Preston lived on the Beverley Manor tract near the present-day town of Staunton in original and modern-day Augusta County.

Around 1762, he moved with his wife, Susanna, to Greenfield Plantation, in original and modern-day Botetourt County, where they lived for about 10 years. From about 1773 until his death in 1783, he lived at Smithfield in original and modern-day Montgomery County.

Sarah Hughes notes that Preston's rise from deputy surveyor to surveyor was delayed by historical events well beyond his control:

The splitting of Augusta County was delayed until 1769 by the outbreak of the French and Indian War, the uncertainty of land claims west of the Proclamation Line of 1763, and the jockeying among political factions over who should have the prize of the new county surveyorship. When Botetourt County was finally carved from Augusta in 1769, William Preston won its surveyorship with the sponsorship of Thomas Lewis and Augusta County Clerk John Madison, who was Lewis's brother-in-law. Preston moved to the new Fincastle County surveyorship in 1772, and Samuel Lewis, son of Andrew Lewis and nephew of Thomas Lewis, took over the Botetourt County position.⁶⁹

William Preston purchased 191 acres of land on Buffalo Creek in Augusta County in February 1759. It became the nucleus of his first plantation, Greenfield. The location of the Greenfield property, near the present-day town of Fincastle in modern Botetourt County, is shown in Figure 9. The original Botetourt County is shown in Figure 10. Preston married Susanna Smith (1740–1823) on January 17, 1761 (he was 31, she was 21). They moved to Greenfield about 1762 while he was still an Augusta County deputy surveyor (Greenfield was in Augusta County when they moved there and eight years later became part of the newly formed Botetourt County). Eventually, the couple had 12 children; their first child was born at Greenfield or Beverley Manor (the record is unclear), their next six children at Greenfield, and the final five were born at Smithfield, where the couple moved about 1773.

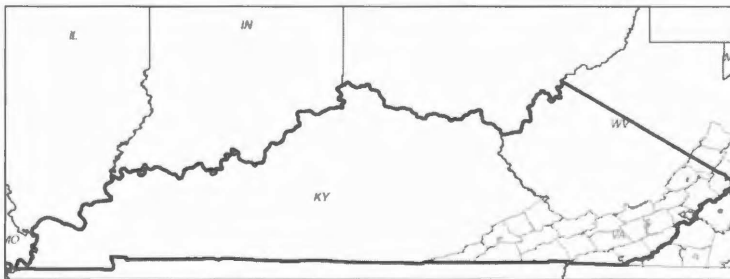


Figure 10. Shows Botetourt County as pictured in the *Atlas of Historical County Boundaries* "Version 1" Botetourt County as it was formed in 1770 from Augusta County, with an area of 61,515 square miles.⁷⁰

Preston represented Augusta County in the Virginia House of Burgesses in 1765, 1766, 1767, and 1768 and Botetourt County in 1769, 1770, and 1771.⁷¹ During these years on his visits to Williamsburg, he met and made contacts with many important and influential Virginians.

Preston moved his family to Smithfield Plantation in present-day Blacksburg, Virginia, in 1774. He had earlier been commissioned sheriff of Fincastle County on December 1, 1772.⁷² As shown in Figure 11, he was sworn in as County Surveyor a month later on the day that the Fincastle County court was first proclaimed on February 5, 1773.⁷³ This document is preserved in Christiansburg, where it can be easily examined.

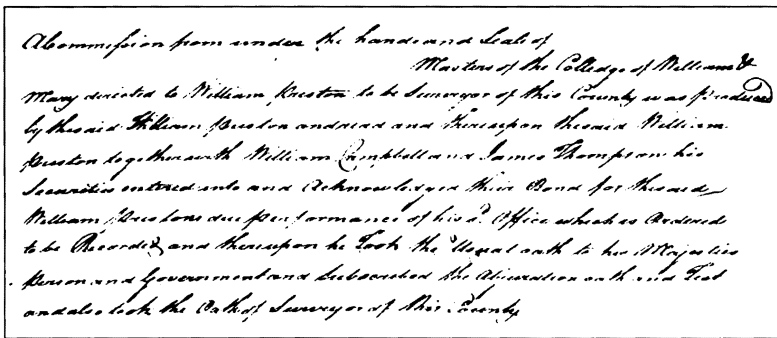


Figure 11. Shows the February 5, 1773 record of the swearing in of William Preston as the County Surveyor of Fincastle. It reads “A Commission from under the hands and Seals of Masters of the Colledge of William & Mary directed to William Preston to be Surveyor of this County was produced by the said William Preston and read and thereupon the said William Preston together with William Campbell and James Thompson his Securities entered into and Acknowledged their Bond for the said William Prestons due performance of his sd. Office which is Ordered to be Recorded and thereupon he Took the Usual oath to his Majesties Person and Government and Subscribed the Abjuration oath and Test and also took the Oath of Surveyor of this County.”

The Newberry Atlas map of original Fincastle is shown in Figure 12. This writer slightly corrected the outline of that map in a recent article, where he concluded that Preston’s political influence in Williamsburg immediately prior to 1772 was sufficient to make as convenient as possible his move from Greenfield to Smithfield, with the line that was drawn across Botetourt County to divide off Fincastle County being placed for his private advantage.⁷⁴

Once Preston became a county surveyor he virtually gave up personal surveying, and left the work to his deputies. For example, in 1773–1774, he carried out only eight surveys, while his deputies undertook 562 of them.⁷⁶ From his base at Smithfield, he sent out parties of deputy surveyors, some of

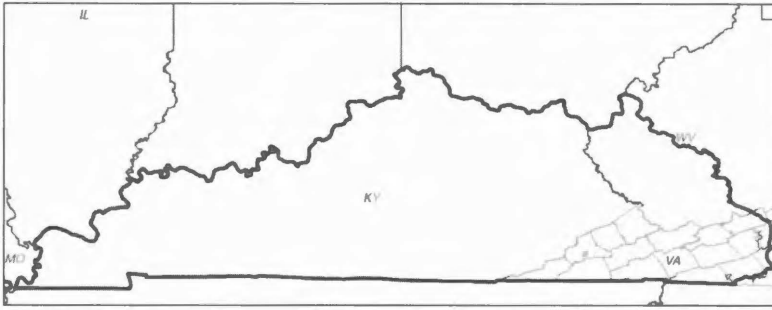


Figure 12. Shown is Fincastle County as pictured in the *Atlas of Historical County Boundaries* “Version 1” as it was formed in 1772 from Botetourt County with an area of 53,171 square miles.⁷⁵

which traveled far to the west. When they returned, he, or one of his clerks, entered the surveys that they had recorded in their field notebooks into a Fincastle County survey book.

The year 1774 was a particularly notable one for Preston. In March of that year, the Boston Port Act was passed in London; in August, the First Virginia Convention met in Williamsburg; and from July to October Lord Dunmore waged war against the Ohio Indians. In the summer of 1774, Preston was dispatching surveying parties from Smithfield to mark out large segments of the rich and desirable land in the central part of the future Kentucky,⁷⁷ when a well-known incident involving Preston’s surveyors operating under orders from Smithfield occurred. A band of nine surveyors, led by John Floyd, one of Preston’s deputy surveyors, was surveying tracts in the Bluegrass Region of Kentucky for prominent Virginians such as Patrick Henry, William Christian, and William Preston himself. They were acting under the authority of taking up claims of land for service rendered by Virginians during the French and Indian War. While Floyd’s party was far to the west, Governor Dunmore sent a warning to the frontier settlements that a state of war had come to exist between the colony and the Indians. Alarmed for the safety of his surveyors, Preston warned William Russell, then living on the Clinch River, of the situation, and Russell engaged Daniel Boone and Michael Stoner to go to Kentucky to warn Preston’s deputies of the danger. It is not clear from the record whether or not Boone and Stoner actually warned any surveyors; however, they did manage to make a surreptitious survey of 4,000 acres for one James Hickman near the future site of Boonesborough while on their warning mission.⁷⁸

In 1774, life was very complicated for William Preston the surveyor. He now had, in effect, three masters to serve: distant London with its Board of Trade; Lord Dunmore, whose land policies were not necessarily

those of London; and the Virginia Convention, which soon began making its own rules and regulations on the subject of land acquisition.⁷⁹ Further complicating Preston's life that year were the activities of Judge Richard Henderson of North Carolina. In the summer of 1774, Henderson organized the Transylvania Company which proposed to purchase from the Cherokee Indians vast tracts of land in modern-day Tennessee and Kentucky. These tracts had been claimed by Virginians and particularly had attracted William Preston's eye. Henderson actually made the Transylvania Purchase on March 17, 1775, six days before Patrick Henry's "Liberty or Death" speech at the second Virginia Convention and only a month before the first shots of the Revolution in Lexington and Concord, Massachusetts.

Early in 1774, Preston began advertising to reach veterans of the French and Indian War with the purpose of buying from them the land warrants that had been issued to them by Governor Dunmore—without proper authorization from the Board of Trade.⁸⁰ Preston published the following advertisement in at least three newspapers:

Notice is hereby given to the gentlemen, officers, and soldiers, who claim land under his Majesty's proclamation of the 7th of October, 1763, who have obtained warrants from his Excellency the right honorable the Earl of Dunmore, directed to the surveyor of Fincastle County, and intend to locate their land on or near the Ohio, below the mouth of the Great Kanawha or New River, that several assistant surveyors will attend at the Mouth of the New River on Thursday, the 14th of April next, to survey, for such only as have or may obtain his lordship's warrant for that purpose.⁸¹

George Washington was the most illustrious war veteran with whom Preston worked to survey land. From the years 1774–1775, there are two extant letters from Washington to Preston⁸² and six extant letters from Preston to Washington.⁸³ The eight extant letters indicate that other letters between the two men during this time frame are missing. The surviving correspondence opens in February 1774 with Washington sending Preston a military land warrant and a preliminary survey for property at the junction of the Cole (or Coal) and Kanawha Rivers (in present-day West Virginia) and asking Preston to assist him in getting a certificate of survey for the land. Preston had John Floyd survey 2,000 acres for Washington, recorded the "Platt," and sent the desired certificate to Washington in January 1775. Among other topics in their letters, the two men address the dangers faced by surveyors in the west, Indian killings near Smithfield, and particularly Henderson's Transylvania purchase of Cherokee land and its implications for Virginians.

During the Revolutionary War, Preston's role became that of a land speculator rather than that of a surveyor. Dangers from Indians and Tories mitigated active surveying. Montgomery County (see Figure 13) was formed in 1777, and during the years 1777–1782, despite being the county surveyor for the new county, Preston neither did nor supervised any surveying and received no income from making surveys. Preston and his deputies returned to work after a five-year hiatus only in October 1782, with Preston's deputies completing 391 surveys over the ensuing eight months. During that time, Preston made his own last handful of surveys, almost all of them within a few miles of Smithfield.⁸⁴

Figure 13. The *Atlas of Historical County Boundaries* "Version 1" map shows Montgomery County as it was formed in 1777 with an area of 8,741 square miles when Fincastle County was divided into Kentucky, Washington, and Montgomery counties.⁸⁵

Modern Virginia counties derived from this original Montgomery are Montgomery, Bland, Carroll, Giles, Grayson, Wythe, and parts of Floyd and Tazewell.

Shading and other minor changes were made by the author.



As the Revolution came to a climax and then to a close, Preston became one of the principal western Virginia Revolutionary leaders along with men such as Andrew Lewis, William and Arthur Campbell, and William Christian. Many of Preston's Montgomery County neighbors remained loyal to the King and were potentially dangerous to him, Indian hostilities increased, and the nearby lead mines on the New River in today's Wythe County were a target for British and Tory forces. Now, Preston's duties were mainly dictated by his serving as colonel of the Montgomery County militia, so defense and planning for defense occupied much of his attention. Enlisting fighting men was a particularly difficult challenge for him. His only active involvement in the Revolutionary War came in February and March of 1781, when he led militiamen to Guilford, North Carolina, in support of General Nathanael Greene's campaign against the British.

However, Preston was overage and overweight, and future governor John Floyd wrote to Preston after the latter man's brief campaign saying that it was unreasonable for him any longer to "stand in the fighting department." Many letters written to and by Preston during these years are extant, and this period of his life has been well described by Richard Osborn.⁸⁶

The 1937 book *Western Lands and the American Revolution* by Thomas Perkins Abernethy, which remains today a useful source of reference, discusses the wartime activities of William Preston as a land speculator in considerable detail.⁸⁷ Chapter XVII, titled "Virginia's Western Land Policy 1778–1779," describes the complicated maneuvering for land among the Loyal Company (in which Preston was a leading member); Richard Henderson's Transylvania Company; and the Ohio Company, with Richard Henry Lee and George Mason among its leaders.⁸⁸ Chapter XX, titled "Virginia and the West 1782–1783," describes Preston's efforts to retain his claims to land surveyed several years earlier under military land warrants in the future state of Kentucky against the competing claims of powerful newcomers seeking land there.⁸⁹ Osborn remarks that these years were a period of "intricate politics in western land dealings." However, while it is a fascinating story, it is mostly incidental to the tale of William Preston as a surveyor.

On the afternoon of June 28, 1783, William Preston fell ill at a regimental muster at the home of Michael Price, only about three miles from Smithfield, and died there late the same evening. His wife, Susanna, was with him.⁹⁰

Richard Osborn conducted a detailed analysis of Preston's will and summarized his estate as follows:

William Preston died a very wealthy man. His estate included a total of 20,513 acres spread throughout southwest Virginia in Botetourt and Montgomery Counties and in Kentucky, at least \$7,562 worth of personal property, and 42 slaves, 88 cattle, 91 hogs, 36 horses, 24 sheep, and a library of 273 volumes. Various other items such as farming utensils, the distillery, blacksmith's tools, a silver watch, a small sword, and household furniture made up the rest of the estate.⁹¹

With the death of William Preston, the surveyorship of Montgomery County passed to his eldest son, John Preston (1764–1827), who had served under his father on the Guilford expedition in March 1781. John Preston had been elected a member of the Virginia House of Delegates, representing Botetourt County, in 1783, and shortly thereafter, he returned to Montgomery County to become a justice of the peace and the county surveyor. He later became treasurer of Virginia. At about the time of William Preston's death,

his relative, Robert Preston, became surveyor of Washington County. However, the county surveyor's office in the third subdivision of Fincastle County—Kentucky County—fell to a non-Preston, George May.

Conclusion

The process of western land acquisition begun in Augusta County had a long-term beneficial effect on the development of a stable political Virginia and indeed on a stable political America in the years following the Revolution. The following is Turk McCleskey's considered opinion on that topic:

In taking charge of Augusta County, the speculators and surveyors furthered two of colonial Virginia's long-term goals: expansion into the hinterland and maintenance of the existing social order. Their structuring of access to land and offices enabled the colonial gentry to achieve territorial growth without paying the price of social upheaval. Thus, from a conservative perspective, the Augusta County settlement represents one of the most ingenious frontier policies in British North America, for it ensured that Virginia's periphery was as stable as its core. By 1770 Augusta County represented an expedient version of the hierarchical social system that eastern Virginians had worked out over the course of several generations. This extension of a patriarchal and stratified social system to the Virginia backcountry may have been imperfectly achieved—implementations of policies conceived elsewhere usually are—but Virginia's elites spared themselves the frontier upheavals that racked most other colonies over the course of the eighteenth century.⁹²

Historian Woody Holton concluded that “the Virginia gentry, by leading Virginia into the American Revolution, had recovered one of its largest sources of income: the sale of Indian land to yeomen farmers.”⁹³ However, the new source of income would not last long. To aid the formation of a federal government, only eleven years after the end of the Revolution, Virginia had ceded all its claims to land west of present-day West Virginia, which came into existence when about 25 counties seceded from Virginia. Virginia ceded its claims to lands north and west of the Ohio River (the Northwest Territory) between 1781 and 1785 while the new government was acting through the authority of its Articles of Confederation and Perpetual Union. Four years after the adoption of the constitution in 1787, Vermont became the first new state to join the original thirteen. The next three states to join the Union were all contiguous to Virginia: Kentucky in 1792, Tennessee in 1796, and Ohio in 1802. Kentucky at the time it

was admitted consisted of three Virginia counties—Fayette, Jefferson, and Lincoln. Kentucky's secession and creation was approved by the Virginians.

As Turk McCleskey has argued, in developing well-ordered procedures for the transfer of crown land into private hands, William Preston the surveyor played a significant role in laying the groundwork for workable government in newly forming states and thus in forming a successful American Republic.

The lifework of William Preston the surveyor embodies the optimistic world view and expansionist ideology embraced by other Virginians such as George Washington, Richard Henry Lee, and George Mason.⁹⁴ Their view of America led them to take bold steps to promote a rich and prosperous, independent, and sovereign nation with its economic base residing in the richness of the transmontane west. Preston saw clearly the potential of western land to secure a bountiful future for America. That vision helped shape America's creation.

Acknowledgments

Thanks to Ryan Mays, David Lee Ingram, and several anonymous referees for helpful comments on earlier drafts of this article. The errors, misconceptions, and infelicities that remain are the sole responsibility of its author. Thanks to the staff of Newman Library at Virginia Tech, particularly to the staff of the interlibrary loan office. Thanks to the Clerk of the Augusta Court John B. Davis and to Vicky Arnold in the clerk's office. Thanks to the Clerk of the Montgomery Court Erica Williams and deputy clerk Diane Lawson. Thanks to David McKissack and April Danner at Smithfield Plantation. Thanks, as always, to my wife, Deena Flinchum, for her ongoing support.

Endnotes

1. Daphne Gentry, "Headrights," Library of Virginia Note, nd, online at http://www.lva.virginia.gov/public/guides/va4_headrights.htm.
2. Anthony S. Parent, *Foul Means: The Formation of a Slave Society in Virginia* (Chapel Hill: University of North Carolina Press, 2003), 40–47. The title of the book is a quotation from William Byrd II, who said to force the obedience of black slaves "foul Means must do, what fair will not."
3. Sarah S. Hughes, *Surveyors and Statesmen: Land Measuring in Colonial Virginia* (Richmond: Virginia Surveyors Foundation, Ltd., and The Virginia Association of Surveyors, 1979), 8–19.
4. Philip Alexander Bruce, *Economic History of Virginia in the Seventeenth Century: An Inquiry Into the Material Condition of the People, Based Upon Original and Contemporaneous Records* (New York: Macmillan, 1896).
5. Hughes, *Surveyors and Statesmen*, 20–27.
6. Lynn A. Nelson, "Historiographical Conversations about the Backcountry: Politics," *Journal of Backcountry Studies* 2:2 (2007), np, online at <http://libjournal.uncg.edu/ojs/index.php/jbc/article/viewFile/42/29>.

7. Hughes, *Surveyors and Statesmen*.
8. Parent, *Foul Means*, 9–54.
9. Wirt Wills, “Review of Sarah S. Hughes, *Surveyors and Statesmen*,” *Smithfield Review* 5 (2001), 101–3.
10. The earliest biography of William Preston is Bruce D. Tuttle, “Colonel William Preston, 1729–1783” (master’s thesis, Virginia Tech, 1971), written under the direction of Smithfield Plantation benefactor George Green Shackelford. Standard biographical sources for William Preston are: Patricia Givens Johnson, *William Preston and the Allegheny Patriots* (Blacksburg, Va.: Walpa Publishing, 1976); John Frederick Dorman, *The Prestons of Smithfield and Greenfield in Virginia* (Louisville: The Filson Club, 1982); and Richard Charles Osborn, “William Preston of Virginia, 1727–1783: The Making of a Frontier Elite” (Ph.D. diss., University of Maryland, College Park, 1990), available online reprinted in three parts in the *Journal of Backcountry Studies* at <http://library.uncg.edu/ejournals/backcountry/Vol2No2/Osborn.pdf>, <http://library.uncg.edu/ejournals/backcountry/Vol3No1/Osborn.pdf>, and <http://library.uncg.edu/ejournals/backcountry/Vol3No2/Osborn3.pdf>.
11. Hughes, *Surveyors and Statesmen*, 104.
12. Stephen F. Strausberg, “Review of Hughes, *Surveyors and Statesmen*,” in *Journal of Southern History* 47:3 (1981), 431–432.
13. *National Atlas of the United States*, U.S. Department of the Interior, published online at http://www.nationalatlas.gov/articles/mapping/a_general.html, accessed August 25, 2012.
14. The 1734 legislation creating Orange County, titled “An Act for Dividing Spotsylvania County,” states that to the west Orange is bounded “by the utmost limits of Virginia.” William Waller Hening, ed., *The Statutes at Large: Being a Collection of All the Laws of Virginia*, Volume IV, (Richmond: For the Editor, 1820), 450–51; reprint online at <http://vagenweb.org/hening/vol04-23.htm>, accessed September 1, 2012. The second edition of *A Hornbook of Virginia History* (Richmond: The Virginia State Library, 1965) includes as its frontispiece a colored map showing pre-1763 Virginia extending to the Pacific coast.
15. Morgan P. Robinson, “Virginia Counties,” *Bulletin of the Virginia State Library* 9 (1916), 1–283; Martha W. Hiden, *How Justice Grew: Virginia Counties: An Abstract of their Formation* (Williamsburg: The Virginia 350th Anniversary Celebration Corporation, 1957).
16. Published in the form of large pdf files.
17. John H. Long, ed., *Atlas of Historical County Boundaries* (Chicago: The Newberry Library, 2010). The historical Virginia county boundaries are online at: <http://historical-county.newberry.org/website/Virginia/viewer.htm> and specifically the downloadable file *Va_Historical_Counties.pdf*. Maps and a modified map from this publication are reused here under the terms of a Creative Commons license. See the website at <http://creativecommons.org/licenses/by-nc-sa/3.0/us/>.
18. “Animated Map of the Growth of Virginia by County,” prepared using the program Animap 3.0 (Alamo, Calif.: The Goldbug Company, 2010), online at <http://www.genealogyinc.com/virginia/maps/>, accessed December 4, 2012.
19. “Politically Defined Virginia” is the aggregate of the counties with legislatively-defined boundaries. After a new county had been created, then began the process of surveying its land and awarding titles to parcels of land within the county. At least, that was the technical process. Like Oklahoma, western Virginia frontier counties had their “sooners.”
20. Long, *Atlas of Historical County Boundaries*, Virginia, 465.
21. Jim Glanville and Ryan Mays, “William Beverley, James Patton, and the Settling of the Shenandoah Valley,” *Essex County Museum and Historical Society Bulletin* 55 (2010), 1–5.
22. Joseph Addison Waddell, *Annals of Augusta County, Virginia, from 1726 to 1871*, second edition (Staunton: C. Russell Caldwell, 1902). The Hotchkiss map was the frontispiece in both the first (1886) and second editions of this book.
23. Daniel M. Friedenber, *Life, Liberty, and the Pursuit of Land: The Plunder of Early America* (New York: Prometheus Books, 1992), 36. This work is an engaging but highly polemical and journalistic account. The present author has made a file of ten reviews of this book. Collectively,

- they are mixed, with Friedenberghaving his supporters and detractors. For a much earlier work, which argues along similar lines, see Archibald Henderson, "A Pre-Revolutionary Revolt in the Old Southwest," *The Mississippi Valley Historical Review* 17:2 (1930), 191–212. Friedenbergh in his bibliography cites several of Henderson's works, but not this one.
24. W. Stitt Robinson, Jr., *Mother Earth: Land Grants in Virginia 1607–1699* (Williamsburg: The Virginia 350th Anniversary Celebration Corporation, 1957), 32, online at <http://www.gutenberg.org/files/28499/28499-h/28499-h.htm>, accessed August 8, 2012.
 25. Emory Evans, *A "Topping People": The Rise and Decline of Virginia's Old Political Elite, 1680–1790* (Charlottesville: University of Virginia Press, 2009).
 26. Martin Bruckner, *The Geographic Revolution in Early America: Maps, Literacy, and National Identity* (Chapel Hill: University of North Carolina Press, 2006), 21–24.
 27. Parent, *Foul Means*, 23.
 28. *Ibid.*, 42.
 29. Manning C. Voorhis, "Crown Versus Council in the Virginia Land Policy," *William and Mary Quarterly*, Third Series, 3:4 (1946), 499–514, at pages 505–6.
 30. Hughes, *Surveyors and Statesmen*, 106–7.
 31. Minor T. Weisiger, "The Virginia Land Office: Research Notes Number 20" (Richmond: Library of Virginia, 2009), online at http://www.lva.virginia.gov/public/guides/Research_Notes_20.pdf, accessed December 2, 2012.
 32. Warren R. Hofstra, *The Planting of New Virginia: Settlement and Landscape in the Shenandoah Valley* (Baltimore: Johns Hopkins University Press, 2006). See also Randall Shrock, "Alexander Spotswood (1676–1740)," *Encyclopedia Virginia* online at http://www.EncyclopediaVirginia.org/Spotswood_Alexander_1676-1740, accessed September 16, 2012.
 33. Edward P. Alexander, ed., *The Journal of John Fontaine: An Irish Huguenot Son in Spain and Virginia, 1710–1719* (Williamsburg: Colonial Williamsburg Foundation, 1972), 101–9.
 34. Evans, *A "Topping People"*, 106–7.
 35. Manning C. Voorhis, "The Land Grant Policy of Colonial Virginia, 1607–1774" (Ph.D. diss., University of Virginia, 1940), 129.
 36. Harrison, *Virginia Land Grants*, 41.
 37. Turk McCleskey, "Rich Land, Poor Prospects: Real Estate and the Formation of a Social Elite in Augusta County, Virginia, 1738–1770," *Virginia Magazine of History and Biography* 98:3 (1990), 449–86.
 38. Voorhis, "Crown Versus Council," 512.
 39. Hughes, *Surveyors and Statesmen*, 84–5.
 40. *Ibid.*, 85.
 41. McCleskey, "Rich Land, Poor Prospects," 463.
 42. Hughes, *Surveyors and Statesmen*, at page 106 notes that there are 119 boxes of Land Office Records at the Library of Virginia and 20 volumes of survey books in county courthouses. For the practical aspects of surveying, see Scott Smith, "18th Century Surveying Presentations and Demonstrations," online at <http://historytech.com/our-services/18th-century-surveying>, accessed August 13, 2012.
 43. *Ibid.*, 126.
 44. Frederick B. Kegley, *Kegley's Virginia Frontier, the Beginning of the Southwest, the Roanoke of Colonial Days* (Roanoke: Southwest Virginia Historical Society, 1938), 285.
 45. The use of the obscure term "manor" in Virginia is explained by Harrison as follows: "By the middle of the eighteenth century the practice of 'manors,' in the ancient [English] sense of that word, connoting an entailed parcel of land cultivated on lease by a number of customary tenants, had thus taken a recognised, if never an altogether successful, place in the westward movement of the Virginia people. Considering, however, the fundamental objections to the practice, it was happily no longer founded on a misuse of the head right." Fairfax Harrison, *Virginia Land Grants: A Study of Conveyancing in Relation to Colonial Politics* (Richmond: Private print, Old Dominion Press, 1925), 42.

46. Traditional works of Augusta County history include John Lewis Peyton, *History of Augusta County, Virginia* (Staunton: Samuel M. Yost & Son, 1882), and Waddell, *Annals of Augusta County*. More recent books that cover early Augusta County include Robert D. Mitchell, *Commercialism and Frontier: Perspectives on the Early Shenandoah Valley* (Charlottesville: University Press of Virginia, 1977), Albert H. Tillson, *Gentry and Common Folk: Political Culture on a Virginia Frontier, 1740–1789* (Lexington: University Press of Kentucky, 1991), and Hofstra, *The Planting of New Virginia*.
47. Long, *Atlas of Historical County Boundaries*, Virginia, 51.
48. John Lewis (1678–1762) had four sons. In addition to Thomas (1718–1790), the surveyor, they were General Andrew Lewis (1720–1781), an occasional surveyor; William Lewis (1724?–1812) the physician; and the youngest, Charles (b. 1735?), who was killed at the Battle of Point Pleasant in 1774. Waddell, *Annals of Augusta County*, *passim*.
49. Hughes, *Surveyors and Statesmen*, 165–71.
50. Kegley, *Kegley's Virginia Frontier*, 77.
51. Osborn, "William Preston of Virginia," online thesis part 1, 10, 19–20.
52. *Ibid.*, 15–20.
53. Jim Glanville and Ryan Mays, "William Beverley, James Patton, and the Settling of the Shenandoah Valley," *Essex County Museum and Historical Society Bulletin* 55 (2010): 1–5 and "Mysterious Origins of James Patton, Part 1," *Smithfield Review* 15 (2011), 35–64.
54. Hughes, *Surveyors and Statesmen*, 156.
55. Osborn, "William Preston of Virginia," 407–68.
56. Osborn, "William Preston of Virginia," online thesis part 1, 22–23. For a detailed listing of many of these surveys see Kegley, *Kegley's Virginia Frontier*, 79–85.
57. Osborn, "William Preston of Virginia," online thesis part 3, 70.
58. Osborn, "William Preston of Virginia," online thesis part 2, 1–2. For a discussion of the role of land companies in the settlement of western Virginia land see Mary B. Kegley and F. B. Kegley, *Early Adventurers on the Western Waters: The New River of Virginia in Pioneer Days, 1745–1800*, Vol. 1 (Orange, Va.: Green Publishers, 1980) 13–45. See also Friedenbergh, *Pursuit of Land*, 109–34.
59. Osborn, "William Preston of Virginia," online thesis part 1, 26.
60. Hughes, *Surveyors and Statesmen*, 106.
61. Joseph A. Waddell, "Indian Wars in Augusta County, Virginia," *Virginia Magazine of History and Biography* 11:3 (1895), 397–404.
62. Kegley, *Kegley's Virginia Frontier*, 106–10.
63. The Proclamation Line in Virginia followed the eastern continental divide. Thus, land in the James and Roanoke River watersheds was open for surveying and settlement while land in the New and Holston River watersheds was not.
64. John Alexander Williams, *Appalachia: A History* (Chapel Hill: University of North Carolina Press, 2002), 72.
65. Osborn, "William Preston of Virginia," online thesis part 2, 59.
66. Kegley, *Kegley's Virginia Frontier*, 262.
67. Osborn, "William Preston of Virginia," online thesis part 2, 57.
68. Kegley and Kegley, *Early Adventurers* 80, 41–43.
69. Hughes, *Surveyors and Statesmen*, 92.
70. Long, *Atlas of Historical County Boundaries*, Virginia, 90.
71. William Glover and Mary Newton Standard, compilers, *The Colonial Virginia Register: A List of Governors, Councillors and Other Higher Officials, and also of Members of the House of Burgesses, and the Revolutionary Conventions of the Colony of Virginia* (Albany: Joel Munsell's Sons, Publishers, 1902).
72. Dorman, *The Prestons of Smithfield and Greenfield*, 16.
73. Fincastle County Order Book Number 1, page 2, January 5, 1773. This was the date that Fincastle County Court was first proclaimed. Original document preserved in the Montgomery County Clerk's office, Christiansburg, Virginia. Examined January 24, 2013.

74. Jim Glanville, "The Siting of Smithfield in Relation to the Fincastle/Botetourt County Line," *Smithfield Review* 15 (2011), 95–100.
75. Long, *Atlas of Historical County Boundaries*, Virginia, 229.
76. Osborn, "William Preston of Virginia," online thesis part 2, 57.
77. Neal O. Hammon, and Richard Taylor, *Virginia's Western War, 1775–1786* (Mechanicsburg, Pa.: Stackpole Books, 2002), xvii–xix.
78. Robert Morgan, *Boone: A Biography* (Chapel Hill: Algonquin Books, 2007), 141–52; Charles Henry Ambler, *The Life and Diary of John Floyd, Governor of Virginia, An Apostle of Secession, and the Father of the Oregon Country* (Richmond: Richmond Press for the Author, 1918), 14–16; William Russell, "Letter to William Preston, from the Clinch River, 26 June 1774," in Reuben Gold Thwaites and Louise Phelps Kellogg, eds., *Documentary History of Dunmore's War* (Madison: Wisconsin Historical Society, 1905), 49–51.
79. The following year (1775) Preston petitioned the Virginia Convention seeking advice as to how to deal with western land issues, asserting that "nothing is further from his [Preston's] intentions than to carry into execution any ministerial instructions contrary to the chartered rights or real interest of his Country." See: William Preston, "Petition Relative to the Surveys Made Under a Proclamation of Lord Dunmore," in Peter Force, *American Archives*, 1837–1848, 4th series, III, 387.
80. Henderson, "A Pre-Revolutionary Revolt," 199–201.
81. William Preston, "Notice to those who claim land on or near the Ohio River," *Virginia Gazette* (Purdie and Dixon), February 24, 1774; *Virginia Gazette* (Rind), March 3, 1774; and *Maryland Gazette*, March 10, 1774.
82. George Washington, "Letters to William Preston," in George Washington, John C. Fitzpatrick, and David M. Matteson, *The Writings of George Washington from the Original Manuscript Sources, 1745–1799* (Washington: U.S. Government Printing Office, 1931, 1770–1775, Vol. 3). Online at text.virginia.edu/toc/modeng/public/WasFi03.html, accessed December 7, 2012. The letters from Washington to Preston are dated February 28, 1774 and March 27, 1775.
83. William Preston, "Letter to George Washington," in Stanislaus Murray Hamilton, *Letters to Washington and Accompanying Papers*, Volume 4, 1770–1774 (Boston: Houghton, Mifflin and Co.), 1901. Online at <http://books.google.com/books?id=RI5SAAAAYAAJ>, accessed December 8, 2012. This is: letter from Fincastle March 7, 1774, 345–347. Volume 5, 1774–1775 (Boston: Houghton, Mifflin and Co.), 1902. Online at <http://books.google.com/books?id=zXoSAAAAYAAJ>, accessed December 8, 2012. They are: letter from Fincastle May 27, 1774, 1–3; letter from Smithfield August 15, 1774, 46; letter from a place not stated January 27, 1775, 88–89; letter from Fincastle January 31, 1775, 89–91; and, letter from Fincastle April 9, 1775, 152–53.
84. Osborn, "William Preston of Virginia," online thesis part 3, 76–77.
85. Long, *Atlas of Historical County Boundaries*, Virginia, 395.
86. Osborn, "William Preston of Virginia," 309–89. See also Brenda Lynn Williams, "Thorns in the Side of Patriotism: Tory Activity in Southwest Virginia, 1776–1782" (Master's thesis, Virginia Tech, 1984).
87. Thomas Perkins Abernethy, *Western Lands and the American Revolution* (New York: Appleton-Century Company, 1937).
88. *Ibid.*, 217–22.
89. *Ibid.*, 262–65.
90. Johnson, *William Preston and the Allegheny Patriots*, 308.
91. Osborn, "William Preston of Virginia," 381–82.
92. Turk McCleskey, "Rich Land, Poor Prospects," 486.
93. Woody Holton, *Forced Founders: Indians, Debtors, Slaves & the Making of the American Revolution in Virginia* (Chapel Hill: University of North Carolina Press, 1999), 21.
94. Marc Egnal, "The Origins of the Revolution in Virginia: A Reinterpretation," *William and Mary Quarterly*, Third Series, 37:3 (1980), 401–28, at page 428.