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ARCHIBALD LOUGHREY—HEIRS OF.

[To accompany Bill H. R. No. 504.]

APRIL 17, 1858.

Mr. AVERY, from the Committee on Private Land Claims, made the following

REPORT.

The Committee on Private Land Claims, to whom was referred the claims of Jane Thompson and Elizabeth McBrier, of Westmoreland county, Pennsylvania, make the following report :

That the Commonwealth of Virginia, on the 2d day of January, 1781, yielded to the Congress of the United States, for the benefit of said States, all right, title, and claim which the said Commonwealth had to the territory northwest of the river Ohio, subject to the conditions annexed to the said act of cession ; which said act of cession, with the conditions annexed, the Congress of the United States accepted, among which conditions was the following : " That a quantity, not exceeding one hundred and fifty thousand acres, of land, promised by the State of Virginia, should be allowed and granted to the then Colonel (now General) George Rogers Clark, and to the officers and soldiers of his regiment who marched with him when the posts of Kaskaskias and St. Vincent's were reduced, and to the officers and soldiers that have since incorporated into the said regiment ; to be laid off in one tract, the length of which not to exceed double the breadth, in such place on the northwest side of the Ohio as a majority of the officers shall choose ; and to be afterwards divided among the said officers and soldiers in due proportion, according to the laws of Virginia."

The committee further report, that it appears by the affidavits of credible witnesses that Colonel Archibald Loughrey, father of the above named claimants, (which affidavits are hereto annexed and made part of this report,) some time during the summer of 1781 raised several companies of volunteers, of which he was chosen commander, for the purpose of joining the forces of General George Rogers Clark in the expedition against the Mohawk and Seneca Indians, inhabiting the country now belonging to the State of Ohio. That in August, 1781, he marched with his men to Wheeling, Ohio, expecting to join the forces under the said General Clark ; but when he and his men arrived at Wheeling, they found General Clark had left that place a few days before they arrived, but had left boats for Colonel Loughrey

and his men to follow them. That they took the boats thus left for them, but somewhere near the mouth of the Big Miami river Colonel Loughrey and his men landed to cook and eat some food, and were attacked by a large body of Indians, and the said Loughrey and a number of his men were killed and the remainder taken prisoners by the Indians, and never joined the forces under General Clark, as was intended.

The committee, therefore, report that, upon the above state of facts, the heirs of the said Colonel Archibald Loughrey are entitled to the same quantity of bounty land as if their father had actually joined the forces under General George Rogers Clark.

PENNSYLVANIA, }
Westmoreland County, } *ss.*

Personally appeared before the subscriber, a justice of the peace in and for said county, James Kean, who, being duly sworn according to law, upon his solemn oath doth depose and say: That some time in the summer of seventeen hundred and eighty-one, volunteers were raised in Westmoreland county, Pennsylvania, for the purpose of joining an expedition at that time making against the Mohawk, Seneca, and other tribes of Indians; that said volunteers were to march in the country now composing the State of Ohio; that the companies in Westmoreland county were under the command of Colonel Archibald Loughrey, and were composed of upwards of a hundred men under the command of said colonel. This deponent was attached to a company of rangers, under Captain Thomas Stokely; that they had volunteered to march under the command of General George Rogers Clark on the expedition; that Colonel Loughrey marched his men to Wheeling, where this deponent understood they were to join General Clark. On the arrival of the troops there, they found that General Clark had left three or four days before, but had left four or five boats behind to carry on Colonel Loughrey and his men. From this place Colonel Loughrey sent a messenger (Richie Wallace) after General Clark; he brought word that Clark would wait for them at the mouth of some creek, the name of which is not remembered by deponent. Colonel Loughrey and his companies embarked in the boats left for them at Wheeling by General Clark, and arrived on that or the next day at the mouth of the creek; on their way down they took sixteen deserters from the troops of General Clark, and carried them along back. On their arrival at the creek, they found General Clark and his troops had left. Colonel Loughrey then proceeded with his men after Clark in the boats. On the 21st or 24th of August, 1781, they landed on the north bank of the Ohio, about ten miles below the mouth of the Big Miami river, for the purpose of cooking some victuals; the river was then low; there was a sand-bar that reached into the river from the south side. As they were kindling their fires, the Indians commenced an attack from an upper bank. Colonel Loughrey ordered his troops to the boats, to pass over to the sand bar; as soon as they embarked and commenced

moving over, a large body of Indians rushed from the woods on the bar and prevented a landing or making an escape, when the colonel ordered us to surrender. There were about thirty men killed in the fight on the side of the whites. Within an hour or two after the fight, this deponent understood Colonel Loughrey was killed by a Shawnee Indian as he was sitting on a log; deponent within that time saw the scalp of the colonel in the hands of an Indian; the peculiar color of the hair caused deponent to know the scalp.

JAMES KEAN, his \times mark.

Sworn and subscribed before me this 25th August, 1843.

W. McWILLIAMS.

I do certify that I am acquainted with James Kean, the foregoing deponent, and that he is a man of credibility, and that full credit is given to his testimony as such.

Witness my hand and seal this 25th August, A. D. 1843.

W. McWILLIAMS. [L. s.]

STATE OF PENNSYLVANIA, }
Westmoreland County, } ss.

I, David Fullwood, prothonotary of the court of common pleas of the county of Westmoreland, in the Commonwealth of Pennsylvania, do hereby certify that W. McWilliams, esq., before whom the foregoing deposition was made, and whose name in his own proper handwriting is to the above certificate appended, was then, and now is, an acting justice of the peace in and for said county of Westmoreland, duly commissioned and appointed, and to all whose official acts and deeds full faith and credit are of right due.

In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at Greensburg, the twenty-fifth day of [L. s.] August, in the year of our Lord one thousand eight hundred and forty-three.

DAVID FULLWOOD, *Prot.*

PENNSYLVANIA, }
Butler County, } ss.

Personally appeared before me, a justice of the peace in and for the county of Butler, William Christie, and after being duly sworn according to law, deposeth and saith, that he was well acquainted with Colonel Archibald Loughrey, of Westmoreland county, and his wife Mary, and that he was well acquainted with their two reputed daughters, Jane Loughrey and Elizabeth Loughrey; and that said Jane was married to Samuel Thompson, of said county of Westmoreland, and

that Elizabeth was married to David McBrier, of the same county. And further saith not.

WILLIAM CHRISTIE.

Sworn and subscribed before me this the 9th day of March, 1844.
JOHN BREWSTER, *J. P.*

I do certify that I am acquainted with William Christie, the foregoing deponent, and that he is a man of credibility, and that full credit is given to his testimony as such.

Given under my hand and seal this 9th day of March, 1844.

JOHN BREWSTER, *J. P.* [L. s.]

STATE OF PENNSYLVANIA, }
Butler County, } *ss.*

I, Jacob Mechling, jr., prothonotary of the courts of common pleas in and for the county of Butler, in the Commonwealth of Pennsylvania, do by these presents certify that John Brewster, esq., before whom the foregoing certificate was taken, and who has thereunto, in his own proper handwriting, subscribed his name, was at the time of taking such certificate, and now is, an acting justice of the peace in and for the said county, duly commissioned and sworn, to all whose acts, as such, due faith and credit are, and of right ought to be given, throughout the United States and elsewhere.

In testimony whereof, I have hereunto set my hand and affixed the seal of the said court, at Butler, in the said county, this 9th [L. s.] day of March, in the year of our Lord one thousand eight hundred and forty-four.

Attest:

JACOB MECHLING, JR.,
Prothonotary.

PENNSYLVANIA, }
Westmoreland County, } *ss.*

Personally appeared before me, the subscriber, a justice of the peace in and for said county, James Chambers, who being duly sworn according to law, upon his solemn oath doth depose and say; That I was taken prisoner by the Indians in June, seventeen hundred and eighty-one, and taken to Detroit; and that while there Ezekiel Lewis, with several others, were brought prisoners to Detroit, and stated to said deponent that they had been taken prisoners with Colonel Archibald Loughrey, and that Colonel Loughrey was killed by the Indians. Said deponent was acquainted with Colonel Loughrey; and his family consisted of a wife and two daughters—Jane, who was afterwards married to Samuel Thompson, since deceased, and Elizabeth, who was afterwards married to David McBrier, since deceased—who now reside

in Washington township, Westmoreland county, and State of Pennsylvania. And further saith not.

JAMES CHAMBERS.

Sworn and subscribed before me, March 6, 1844.

ALEXANDER THOMPSON.

I do certify that I am acquainted with James Chambers, the foregoing deponent, and that he is a man of credibility, and that full credit is given to his testimony as such. Witness my hand and seal, this 6th day of March, A. D. 1844.

ALEX. THOMPSON. [L. S.]

STATE OF PENNSYLVANIA, }
Westmoreland County, } ss.

I, David Fullwood, prothonotary of the court of common pleas for the county of Westmoreland, in the Commonwealth of Pennsylvania, do hereby certify that Alexander Thompson, before whom the foregoing deposition was made, and whose name in his own proper handwriting, is to the within certificate appended, was then, and now is, an acting justice of the peace in and for the county of Westmoreland, duly commissioned and appointed, and to all whose official acts and deeds full faith and credit are of right due.

[L. S.] In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at Greensburg, the fourteenth day of March, in the year of our Lord one thousand eight hundred and forty-four.

DAVID FULLWOOD,
Prothonotary.

PENNSYLVANIA, }
Armstrong County, } ss.

Personally appeared before the subscriber, a justice of the peace in and for said county, Ezekiel Lewis, a resident of the county of Armstrong, Pennsylvania, who being duly sworn according to law, upon his solemn oath doth depose and say: That, some time in the summer of seventeen hundred and eighty-one, volunteers were raised in Westmoreland county, Pennsylvania, for the purpose of joining an expedition at that time making against the Mohawk, Seneca, and other tribes of Indians; that said volunteers were to march in country now composing the State of Ohio; that the companies in Westmoreland were put under the command of Archibald Loughrey, then a resident of Westmoreland county, who commanded said companies as colonel, and was received and acknowledged by them as their colonel in command; the troops rendezvoused on Sewekey or Jacob's swamps, in Westmoreland county; Colonel Loughrey had, when we started from the place of rendezvous, upwards of eighty men; the companies composing Colonel Loughrey's command were commanded by Captains Robert Orr and William

Campbell ; I was under the command of Captain William Campbell. Deponent says they marched from the place of rendezvous, he thinks, to McKeesport, on the Monongahela, and descended said river to Pittsburg ; Captain Stokely joined the command of Colonel Loughrey, same place, before we got to Wheeling, (*don't recollect the place particularly*;) from Pittsburg we travelled by land to Wheeling, where we embarked in boats, and started down the Ohio river to join General Clark ; in one or two days we stopped at the mouth of a creek, where we expected to meet with General Clark ; when we arrived there, General Clark had gone on down the river ; on our way down the river we took some deserters from General Clark's command, and carried them with us ; Colonel Loughrey proceeded on down the river, intending to overtake General Clark, until the 24th August, 1781 ; about 9 or 10 o'clock we landed on the north bank of the Ohio for the purpose of cooking breakfast ; we had killed a buffalo the evening before ; where we landed was near the mouth of the Big Miami ; as we were kindling fires, the Indians commenced an attack upon us ; there were about forty of the whites killed, and the rest all taken prisoners, together with Colonel Loughrey and all his officers ; in about two hours after we were taken, one of the Indians tomahawked Colonel Loughrey, sitting on a log ; I saw him after he was killed, and his scalp was taken off ; deponent saith he had been intimately acquainted with Colonel Loughrey for some years before the time of the campaign spoken of ; knew he had a wife and some children ; does not know how many. And further saith not.

EZEKIEL LEWIS.

Sworn and subscribed before me, 11th March, 1844.

JNO. R. JOHNSTON,
Justice of the Peace.

We do certify that we have been intimately acquainted with Ezekiel Lewis, the foregoing deponent, for the last twenty-five years, and that he is a man of truth and veracity ; and that he is so acknowledged in the neighborhood in which he has resided since the time we have been acquainted with him.

Witness my hand and seal, 11th March, 1844.

JNO. R. JOHNSTON, [L. S.]
Justice of the Peace.
ROBERT ORR.

STATE OF PENNSYLVANIA, }
Armstrong County, } *sct.*

I, James Douglass, prothonotary of the court of common pleas in and for said county, do certify that John R. Johnston, esq., before whom the within deposition was taken, was, at the time of taking the same, an acting justice of the peace in and for said county, duly elected, commissioned, and sworn, to all whose official acts, as such, full faith and credit are due and of right ought to be given, as well

throughout the county aforesaid as elsewhere ; and that his signature thereto is genuine, and in his proper handwriting.

In testimony whereof, I have hereunto set my hand and affixed the [L. S.] seal of said court, at Kittaning, the 11th day of March, in the year of our Lord one thousand eight hundred and forty-four.

J. DOUGLASS, *Prothonotary.*