

Charles McKinnis Sr. can readily be traced to only three properties after he was severely wounded in the French and Indian Wars.

The first may well be where he initially settled after recovering from his wounds, but it cannot be proven that he did not live elsewhere before 1769. Virtually no land records seem to exist pertaining to "Pennsylvania" west of the Allegheny Mountains prior to 1769, perhaps for two principal reasons. First, the British government had forbidden settlement there,¹ and second, Pennsylvania did not consider any land west of the mountains to be part of the Province then.² The second consideration was resolved by the so-called "New Purchase" concluded at Ft. Stanwix in late 1768, when Pennsylvania bought an area perhaps larger than its then-recognized boundaries from the Iroquois Nation.³ The Provincial government opened up the region for legal settlement (despite British prohibitions) as of 3 April 1769.⁴

On 13 June 1769, a hand-written application was recorded in the Provincial land office as follows, "Charles McGines [sic] applieth for one-hundred acres of land on Turtel [sic] Creek betwixt the two crossings, joyning Angus McCoy on the East. Including his Improvement."⁵ The reference to "his improvement" is significant, for it shows not only that he already had settled there, but under Pennsylvania's policies, it also gave him priority over any competing claims for the same land.

Because of boundary disputes with Virginia, the intervening Revolutionary War, and other events, the Pennsylvania government did not begin to act on most of these applications for another 15 years. Charles' land was surveyed December 10, 1784,⁶ a warrant (in effect, a temporary occupancy permit) was issued on 18 April 1786,⁷ and

¹ King George III's Royal Proclamation of 7 October 1763 reserved lands west of the Allegheny Mountains for native hunting grounds, and forbade all white settlement in that region. The purpose probably was less to placate the native Americans than it was to placate his own army, which otherwise would have had to fight to protect the settlers. The full text of the Proclamation can be found in history books and at <http://dSPACE.dial.pipex.com/town/terrace/adw03/c-eight/1763proc.htm>

² Pennsylvania's policy, notwithstanding its land grant from Charles II and apparently unlike the practice in most other American colonies, was based on William Penn's Quaker Beliefs. It required that land first be purchased from the native Americans before offering it for sale to white settlers. See, for example, J. Boucher. 1906. History of Westmoreland County, Pennsylvania. Vol. 1, Chapter 2, pp. 33-41. Lewis Publishing Company, New York. A poorly edited transcription is at <http://www.pa-roots.com/~westmoreland/historyproject/vol1/chap2.html>

³ Ibid.

⁴ Ibid.

⁵ New Purchase Land Application no. 3400, Land Office microfilm roll no. 7.4, Pennsylvania State Archives.

⁶ Copied Survey Book M, pp. 416-417. Land Office microfilm roll no. 28.24, Pennsylvania State Archives.

⁷ Westmoreland Co. Warrant no. M282, Land Office microfilm no. 3.145, Pennsylvania State Archives.

the patent (the original deed for government land) was issued the following day.⁸ All documents were for "Pleasant Valley," 116.5 acres, issued to Charles McGinnis [sic].

The fact that the warrant and patent were issued almost simultaneously reflected the backlog in the land office, not standard practice (although it often seemed so). At the time of the survey and issuance of the patent, this land was situated "partly in Pitt, partly in Hempfield Twps., Westmoreland Co."⁹ With the erection of Allegheny County in 1788, Charles' land 'migrated' to Versailles Twp. in the new county, where his family was censused in 1790.¹⁰ Since then, the land has fallen under a number of local jurisdictions but has remained in Allegheny Co.

It is easy to imagine that Charles chose to settle this narrow valley for its strategic importance. His land began a few hundred yards off the so-called Forbes Road, the main military connection between Ft. Pitt, nine miles to the northwest, and Bouquet's Encampment, a few miles to the east. The highway continued eastward to Harrisburg and Philadelphia. His property extended for nearly a mile along Turtle Creek, to within about three miles of its mouth into the Monongahela River. General Braddock's Field Camp had been nearby, through which the so-called Great Road passed southward to various important forts on the way to Virginia.¹¹

Charles' property now is mostly a railroad container-transfer yard occupying much of the floodplain of now-channeled Turtle Creek, between the eastern boundary of the Borough of Wilmerding, and the western boundary of the Borough of Pitcairn. Entering either of these locations into <http://www.topozone.com> will provide a topographic map of its present surroundings.

Charles evidently lived and raised his family here until 31 March 1794, when he sold Pleasant Valley to David Carson.¹² By then he was over 70 years of age and had lived in this one place for at least 25 years. His continuity was unusual for the period; few of the people shown as owning adjacent land on surveys (e.g. Angus McCoy, *vide* citation in footnote 6) ever remaining long enough to complete the formal purchase process, if they even initiated it.¹³

⁸ Patent Book Series P, vol. 6, p. 231. Land office microfilm roll no. 29.18, Pennsylvania State Archives.

⁹ Ibid.

¹⁰ First Census of the United States, 1790, U.S. Nat. Arch. Rec. Admin. microfilm Ser. M637, Roll 9, Pennsylvania, Allegheny Co., Versailles Twp., p. 134, line 12: Charles McGines: 2 m > 15, 5 m < 16, 3 f.

¹¹ From a map of key French and Indian War roads and sites, partly photocopied at the Pennsylvania State Archives.

¹² McKinnes - Carson deed recorded 3 April 1800. Allegheny Co. Deed Book 9, p. 359.

¹³ Versailles Twp., Allegheny Co., Warrantees for Connected Township Tracts. Canvas Map 2140, Pennsylvania State Archives.

Because Charles' ownership never was directly recorded for either of his two known later land purchases (a common practice in that era among unsophisticated settlers), at best it is possible only to infer a timeline from subsequent, sometimes unrelated events. This is especially true in these instances, for neither parcel was transferred from state ownership for at least three decades after Charles' death. He, like most of his contemporaries, was an unwitting squatter who had 'purchased' these later properties from people who didn't truly own them.

For reasons stated below, I believe Charles' next land purchase occurred immediately after, or concurrent with, his sale of Pleasant Valley: Lot no. 13 in Elder's Depreciation Tract. The Depreciation Lands were set aside after the Revolutionary War to compensate Officers and Soldiers in that war for the nearly worthless currency in which they had earlier been paid (most such tracts were eventually auctioned or otherwise sold).¹⁴ Charles' 'ownership' of this property is known as fact from releases signed in 1819 by Robert, Chas. Jr., George, Joseph, John, Margaret, and their spouses, relinquishing their inherited interest in the property in favor of their brother, James. James sold the parcel to Asa Rowley in 1823, at which time both a deed and the siblings' releases were recorded.¹⁵ Interestingly, William was not mentioned, although all children or their heirs inherit equally when someone owning property dies without a will, as was stated in the releases.

What actually happened may have been somewhat different from what I suggest, and the complete underlying picture probably cannot be established with certainty. Nevertheless, other documents from as late as 1873 give some idea. Rowley surveyed the property in 1816¹⁶ and obtained a warrant (i.e., a permit to live on it from the state, who then still legally owned it) in 1821.¹⁷ Both these events occurred *before* James acknowledged receiving payment for it. A patent was not issued for the land until 1844,¹⁸ to Rowley, even though by then, Rowley already had sold it. The land passed through various owners, as well as a sheriff's sale, until William Bingham purchased a portion of it in 1851.¹⁹

¹⁴ See Section IX of the Series Description for Record Series RG-17, Records of the Land Office, housed at the Pennsylvania State Archives. This is on-line at <http://www.phmc.state.pa.us/bah/dam/rg/sd/r17sdb.htm>

¹⁵ Allegheny Co. Deed Book 30, pp. 78-83. Chas. Jr. and Martha's release signed in 1819 was not mentioned on Rowley's deed, so they signed a new release in 1833, recorded in Allegheny Co. Deed Book 44, p. 510.

¹⁶ Copied Survey Book C-211, pp. 126-127. Land Office microfilm roll no. 28.193, Pennsylvania State Archives.

¹⁷ South-end Allegheny Co. Warrant no. R29, Land Office microfilm no. 3.16, Pennsylvania State Archives. The fact that this warrant was misfiled in southern, rather than northern, Allegheny Co. may have resulted in the erroneous repatenting of the tract.

¹⁸ Patent Book Series H, vol. 45, p. 252. Land office microfilm roll no. 29.58, Pennsylvania State Archives.

¹⁹ Application for Patent by William Bingham, 23 February 1873. Land Office microfilm roll no. 4.4, Pennsylvania State Archives.

A history of the property, omitting some key facts including the existence of the 1844 patent, was summarized in 1873 when Bingham, apparently unaware that the property already was patented, applied again to the state.²⁰ Bingham relied on a survey done in 1785,²¹ predating Rowley's. He stated that the original owner of the property was Nicholas Raquet, who purchased a Certificate for it from the state, then sold it to William Matthews, who in turn sold it to Charles McGinnis [sic], all these transactions being unrecorded [possibly excepting the first].²² The state did issue Bingham "and other owners, in trust" a patent, but the details of the state's original sale to Raquet were conspicuously omitted²³ The issuance of two patents for the same tract was an oversight by the state not recognized until much later, as evidenced by footnotes on various later documents pertaining to it (e.g., see the citation in footnote 25).

Charles' children's 1819 releases do mention that he (Charles Sr.) bought Lot 13 from Matthews (cf. citation in footnote 15), but they give no date for that purchase. Two facts suggest that it may have occurred around the time that Pleasant Valley was sold. First, Henry, son of James, recounted a story later published in various McKinnis histories, that his father, "...was born April 4, 1794, on an island in the Ohio river 4 miles below Pittsburg, Pa."²⁴ Elder Lot 13 fronts the Allegheny River for nearly half a mile, about two miles south of the present Butler County boundary northeast of Pittsburgh.²⁵ It is not difficult to imagine that nearly a century after the fact, Henry would have had the right idea but the wrong details. Secondly, the family was censused in 1800 in Deer Twp.²⁶, where Elder Lot 13 was situated at that time (cf. citation in footnote 15).

Elder Lot 13, about 185 acres in size, extends about $\frac{3}{4}$ mile inland, roughly to where old Pennsylvania state highway 28 passes. The tract's area covered the community now known as Sligo. It can be seen by entering that location into <http://www.topozone.com>, then looking for the eastward bulge of land about 2 miles below Freeport.

²⁰ Ibid.

²¹ Copied Survey Book C-19, pp. 248-249. Land Office microfilm roll no. 28.90, Pennsylvania State Archives.

²² Bingham patent application, op. cit.

²³ Patent Book Series H, vol. 70, p. 729. Land office microfilm roll no. 29.68, Pennsylvania State Archives.

²⁴ Henry McKinnis, ca. 1886, Family History Notes.

²⁵ Harrison Twp., Allegheny Co., Warrantees for Connected Township Tracts. Canvas Map 2500, Pennsylvania State Archives.

²⁶ Second Census of the United States, 1800, U.S. Nat. Arch. Rec. Admin. microfilm Ser. M32, Roll 35, Pennsylvania, Allegheny Co., Deer Twp., p. 144, twp. entry 49,: Charles McKinnis: 1 m > 45, 2 m 16-25, 1 m 10-15, 1 m < 10, 1 f > 45, 2f 10-15. Note the extra female in both 1790 and 1800. Joseph and Robert were censused separately in 1800, and William was unaccounted for in 1800.

Charles' third and last known land purchase was made around 1800 (unrecorded). It was for ca. 100 acres situated in Connoquenessing Twp. of newly formed Butler Co. In addition to being censused in 1800 at the property in Deer Twp., Charles and a few family members apparently also were censused here.²⁷ In 1802, he deeded this plot over to 7 year-old son James,²⁸ a transaction of dubious legality given James' age. Two and a half years later, without evidently retracting the earlier gift, he deeded presumably the same tract again, this second time to son George,²⁹ in exchange for life care for himself and Rachel. The first of these two transfers stated that Charles had originally purchased the land from Col. Dunning McNair, a later-exposed land swindler³⁰ who apparently hadn't truly owned any of the land he sold in the vicinity.

Charles died less than 15 months after deeding the Connoquenessing tract to George. George departed the state about three years after that, apparently skipping out on his ownership and his agreement to care for Rachel,³¹ who lived another seven years. Charles' next-to-youngest son John took over the property, apparently by default. Over the ensuing years he expanded it by purchasing adjacent tracts at sheriff's sales, when their 'owners' abandoned them. These purchases, although recorded in the Butler Co. Sheriff's deed book, did not convey true ownership, since their previous residents were merely squatters in the legal sense, as technically even was John. In 1835, however, John had a survey made of the entire farm, including Charles' original tract determined to be nearly 98 acres.³² He assembled paperwork, secured affidavits from long-time residents of the area, and submitted an application to the state for a warrant and patent for the entire farm, now nearly 400 acres.³³ His application gives a partial history, including the fact that Charles had begun to improve the original tract in 1800 and had built a house there by 1801. The data offered to the state differ somewhat from the facts evidenced in the Sheriff's Deed Book,³⁴ but no

²⁷ Second Census of the United States, 1800, U.S. Nat. Arch. Rec. Admin. microfilm Ser. M32, Roll 36, Pennsylvania, Butler Co., Connoquenessing Twp., p. 342, twp. entry 65: Charles McGinnes: 1 m > 45, 1 m 10-15, 1 f > 45, 1f 10-15. If this entry indeed applies to the family we believe it does, some members evidently were censused twice in 1800.

²⁸ Allegheny Co. Deed Book 11, p. 29. The deed was recorded in Allegheny Co. before newly-split Butler Co. had established its government.

²⁹ Butler Co. Deed Book citation needed [uncited transcript on file].

³⁰ History of Butler Co., Pennsylvania (1883). Chapter 19, pp. 183-191. Waterman, Watkins, & Co., Chicago. This chapter has been transcribed at <http://www.rootsweb.com/~pabutler/1883/83-19.htm>

³¹ Arbitration agreement between George and John McKinnis, 13 May 1841, Butler Co. Deed Book M, pp. 419-420.

³² Copied Survey Book C-142, pp. 174-175. Land Office microfilm roll no. 28.193, Pennsylvania State Archives.

³³ Application for warrant by John McKinnis, 9 December 1835. Land Office microfilm roll no. 7.75, Pennsylvania State Archives.

³⁴ Butler County Sheriff's Deed Book no. 1, entries on pp. 80, 98, and 136. John purchased three tracts originally belong to three different people at three different times between 1817 and 1822.

matter. The warrant and patent for the entire property were issued to John by the state in March 1836.³⁵

John's success at securing a patent for the Connoquenessing farm evoked renewed interest from brother George, to whom Charles had given the original portion of the tract. By that deed, the other siblings had been prevented from having an ownership interest in the property (except for James, but he may not have realized that his father also had deeded the same tract to him earlier than to George). George sued John ca. 1841 for his share (cf. citation in footnote 31), resulting in the appointment of three arbitrators. The arbitrators evidently were unimpressed by George's claim; they awarded him only \$75.00, while John kept the property. John farmed it until the late 1850's, when he evidently moved to town and began to dispose of it.

As township boundaries were adjusted during the 19th century, the McKinnis tract in Butler Co. moved back and forth between Butler and Connoquenessing Twps., making it appear from censuses between 1810 and 1850 that John moved, when in fact only boundaries did. It was squarely in Connoquenessing (although partly sold off) when a connected property map for the county was drawn up in 1858.³⁶ The site can be seen by entering Whitestown into <http://www.topozone.com>, then looking southeast for the joining of Mulligan Run and Little Connoquenessing Creek, between Whitestown and White Church. John's land surrounded that joining for ¼-½ mile in all directions; Charles' original portion was on the property's eastern side.

By following these three properties over nearly a century's time, we can take advantage of a peephole into some of the problems in our ancestors' lives in a region being transformed from frontier Indian Territory to developed America. Modern people, whose identity is well-documented and whose property titles are protected by title insurance, may find it difficult to relate to the flea-market-like property dealings experienced by Charles McKinnis and his family.

Many people helped me in advance of the recent trip to Pennsylvania during which I gathered much of this information, and I thank them all. Craig Kieffer and Chris Purple, who provided transcripts of relevant documents beforehand, deserve special thanks.

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³⁵ Butler Co. Warrant no. M70, Land Office microfilm no. 3.39; and Patent Book Series H, vol. 36, p. 23, Land office microfilm roll no. 29.55, Pennsylvania State Archives.

³⁶ Property map of Butler Co., Pennsylvania, 1858. Compiled from surveys of Dunlap, McKee, Scott, Maaurhoff & Kirker. Deteriorated original mounted in Butler Co. courthouse; copy in Butler, Pennsylvania, Library.

