

Events Leading to the Formation of Harrison County in 1784
by Dorothy Davis

In 1984 Harrison County will celebrate the bicentennial of an act of the Virginia Assembly which ordered an area of land west of the mountains from the Maryland border to the Ohio River to be organized into a county named "Harrison".¹ The land area of the new county was so extensive that the Virginia Assembly between 1787 and 1860 authorized eighteen new counties to be formed wholly or partly from land originally included in the boundaries of Harrison County.

Throwing under the jurisdiction of one county court a land area so huge as to be ungovernable followed a policy of the Virginia Assembly started in 1734 when "Orange County" was created to include all Virginia lands west of the Blue Ridge Mountains to the "uttermost limits" which embraced all of what today is West Virginia, Kentucky, Ohio, Indiana, Michigan, Wisconsin, and a large part of Virginia.² Orange County was reduced in size in November 1738, when the Virginia Assembly assigned present West Virginia, except the Eastern Panhandle, to Augusta County with a county seat in Staunton, Virginia.³ From 1747 to 1776 the land area of present Harrison County lay within boundaries of various speculative land companies⁴, all of which failed; but which, when active, fed the flames of contention between Pennsylvania and Virginia as to which state was entitled to the land at the forks of the Ohio at Fort Pitt. After Lord Dunmore arrived in Williamsburg, Va., December 12, 1771, to be the governor of the Virginia Commonwealth, he quickly caught the speculative fever of delving into western lands and in the summer of 1773 traveled to Fort Pitt to see for himself the state of affairs of settlers there as a result of the claims of both Virginia and Pennsylvania to lands at the head of the Ohio River.

Lord Dunmore said that he found "upwards of ten thousand settlers"⁵ at Fort Pitt⁶ without magistrates or militia. The settlers begged the governor to give them the protection of the laws of Virginia. September 7, 1773, Lord Dunmore was back in Williamsburg, where on October 11, 1773, he and his council established the District of West Augusta which included the forks of the Ohio at Fort Pitt and what in 1983 is Harrison County.⁷

The justices of the district would naturally be chosen to represent farflung portions of the district, few of which would be more distant from Fort Pitt than the West Fork River. So the governor named William Lowther one of the first justices no doubt because "during the starving year of 1773 his exertions to mitigate the suffering"⁸ of settlers on the Buckhannon River, Hackers Creek, and the West Fork River were so successful that he was the most respected citizen in the southern part of the district.

Lord Dunmore and his council would have made the northwestern lands of Virginia a county instead of a district had a state statute not prevented the governor from forming a county.⁹ But with the District of West Augusta an ongoing entity¹⁰, the Virginia Assembly officially established the district the same day it outlawed the district when the legislative body authorized in October 1776 the formation of Ohio, Monongalia, and Yohogania counties from the land that it had just delineated to make up the District of West Augusta.¹¹

Boundaries set by the assembly for the District of West Augusta and for Monongalia County in 1776 left settlers along the tributaries of the West Fork River and along the tributaries of the Tygart's Valley River in the county of Augusta with its county seat in Staunton. A trip down the rivers to Morgantown, the county seat of Monongalia County, or even a trip on horseback or on foot by path and road to Morgantown was possible; the journey over the mountains to Staunton was next to impossible.¹² The complaints of settlers along the tributaries of the Monongahela River were so loud that in May 1779, two and one-half years after the formation of Monongalia County, the Virginia Assembly added the lands in present Harrison County to Monongalia County.¹³

The plea most often used by citizens in Virginia who petitioned for a new county to be formed was inaccessibility of the county seat. And the plea was valid in an age when to cast a vote a person must travel to the county courthouse; when the justices sitting at the county courthouse established all roads, issued all licenses, established all law and order, and tried legal cases; and when the militia in which all male citizens served mustered at the county seat.

The first three years of the five years they lived under the jurisdiction of Monongalia County, the people along the drains of the West Fork River and the Tygart's Valley River were too busy fighting Indians to worry about the site of a county seat. Settlers on drains of the West Fork River and its tributaries ran often to Richards' West's, or Nutter's forts for protection; and in June 1781 most of the men from the West Fork River and the Tygart's Valley River met at Nutter's Fort near the mouth of Elk Creek to travel under William Lowther¹⁴ and George Jackson to Pittsburg to join George Rogers Clark for a projected mission to take Detroit from the British.¹⁵

By 1783, when the Indians were quiet enough for settlers to leave forts for their lands and those who had fled Bush's Fort¹⁶ for Nutter's Fort in 1782 were again in their cabins along the Buckhannon River, citizens began to think about voting and the difficulty of a trip to Morgantown. Already administrators of the land laws passed by the Virginia Assembly in 1779 had recognized the hardship of a long trip to the county seat when they assigned commissioners in 1781-82 to sit at the house of Samuel Lewellen in Clarksburg to register land claimed by the settlers.¹⁷ The Virginia General Assembly agreed that citizens could not cope with a county seat one hundred miles from their settlement when it authorized in October 1783 that a poll of voters in April of each year would be taken by the sheriff "at the house of George Jackson, at the place called Boush's [Bush's] Fort, on the Buckhannon River", the Monday after the poll at the courthouse in Morgantown.¹⁸

One can imagine how the sheriff of a county felt about mounting a horse a few days after he had conducted a poll of voters in the county seat to ride one hundred miles over paths in the woods to the home of a citizen to conduct a second election. He surely would favor a division of the county started a few months later as attested to by John Evans, Monongalia County Clerk: "I do hereby certify that a division of this County has been Advertised on two different Monthly Court days."¹⁹

Evans' certification accompanied a petition signed by more than two hundred fifty men²⁰ and submitted to the Virginia General Assembly on May 21, 1784:

To the Hon. the Speaker and Delegates of the House of General Assembly of the Commonwealth [sic] of Virginia---
The Petition of the Inhabitants of Tigers Vally [sic], Buckhannan [sic] and Westfork Settlements Humbly Sheweth---
That your Petitioners were formerly a part of Augusta County, and for sometime past hath been added to Monongalia County, find many and grate [sic] difficultys [sic] in being joined to the same since the return of peace with our late Indian enemy. Which your Petitioners begs [sic] leave to lay before your Honourable House---
We being three Distinct Settlements nearly parellel [sic] in situation and partly opposite to each other and nearly adjoining the Green-Brier Line, have it not in our power from our local situation and late distresses from our Common Enemy to have the Injoyment of the Lawes of our County that our fellow Citizens have, as our Court of Justice is now affixed by Law and all publick Offices are in the further part of the County from us---

Our distance as computed from the waters of said Settlements are Viz. from Tigers Vally, Eighty Seven Miles, Buckhannan nearly the same, and Westfork Sixty Four --- Which distance together with the badness of the way, not only makes it disagreeable [sic] but almost impossible in the Winter and wet Seasons of the Year to Travill [sic].

Flattering ourselves that if your Hon. House would be Graciously pleased to lay us off in a Distinct County, that in a short time we should get our Damages sustained by the Enemy repaired, and have it in our power to become Usefull members of the Community, Well knowing it our duty to Exert ourselves to preserve our National Credit---

Our Request being Granted, will lay us under the Gratest Thankfullness And We in Duty Bound shall Pray.²¹

On the outside of the folded petition is the statement: "that the petition of divers Inhabitants of the County of Monongalia praying that all that part of the said County including the Settlements of Tygers Valley, Buckhannan & Westfork may be laid off into a distinct County is reasonable"²². The Council of the State of Virginia sent to the governor a list of twelve names it "advised" the governor to name as justices and the name of the man it "advised" to be named sheriff²³, as stipulated in the act passed by the assembly early in June 1784:

Be it enacted by the General Assembly, That from and after the twentieth day of July next, the county of Monongalia shall be divided into two distinct counties, by a line to begin on the Maryland line, at the fork ford on the land of John Goff, thence a direct course to the head waters of big Sandy creek, thence down the said creek to Tyger's valley fork of the Monongalia [sic] river, thence up the same to the mouth of Biggerman's creek, thence up the said creek to the line of Ohio County; and that part of the said county lying south of the said line, shall be called and known by the name of Harrison, and all the residue of the said county shall retain the name of Monongalia; that a court for the said county of Harrison, shall be held by the justices thereof on the third Tuesday in every month, after such division shall take place, in such manner as is provided by law for other counties, and shall be by their commissions directed; that the justices to be named in the commission of the peace for the said county of Harrison, shall meet at the house of George Jackson, at Bush's Old Fort, on Buchanan [sic] river, in the said county, upon the first court-day after the said division shall take place, and having taken the oaths prescribed by law, and administered the oath of office to, and taken bond of, the sheriff according to law, proceed to appoint and qualify a clerk, and fix upon a place for holding courts in the said county, at or as near the centre thereof, as the situation and convenience will admit of; and thenceforth the said court, shall proceed to erect the necessary public buildings at such place; and until such buildings be compleated, to appoint any place for holding courts as they shall think proper. PROVIDED ALWAYS, That the appointment of a place for holding courts, and of a clerk, shall not be made unless a majority of the justices of the said county be present; where such majority shall have been prevented from attending by bad weather, or their being at the time out of the county, in such cases the appointment shall be postponed until some court day, when a majority shall be present; that the governor, with the advice of the council, shall appoint a person to be first sheriff of the said county, who shall continue in office during the term, and upon the same conditions, as is by law appointed for other sheriffs.....²⁴

The name assigned the new county was that of Benjamin Harrison, the governor of Virginia, who served as the chief executive of the state from November 1781 to November 1784 and was again chosen by the legislature for the post in 1791 but died before the second term of office began. The choice of a Virginia politician active at the time of the passage of the act for the new county for the county's name started a pattern which would continue for the next seventy years in naming new counties west of the mountains in Virginia.

Naturally the governor, as advised by the State Council, tried to appoint as justices men from every section of the land included within the borders of the county. The governor could ignore representation from lands west of the West Fork River for a line manned by forts from the forks of the Ohio up the Monongahela and West Fork rivers to West's Fort at present Jane Lew in the upper reaches of the West Fork River was the frontier and would remain the frontier until the founding of Marietta, Ohio in 1788.²⁵

From the upper Tygart's Valley River area the governor named for justice Benjamin Wilson who lived four miles from Beverly²⁶; from the horseshoe bend of the Cheat River near the present town of Parsons the governor named as justice Salathiel Goff²⁷; from the lower Tygart's River Valley, Jacob Westfall²⁸ and Henry Delay²⁹; from the Monongahela River area, Patrick Hamilton³⁰; from the lower West Fork River, Thomas Cheney³¹; from the West Fork River near Clarksburg, Nicholas Carpenter³² and John P. Duvall³³; the upper West Fork River, William Lowther³⁴; from Simpson's Creek, John Powers³⁵, James Anderson³⁶, and William Robinson.³⁷

Having been named a justice by the governor did not mean that the appointee helped run the new county. A search of the records of the court showed that Patrick Hamilton who lived almost eighty miles from Buckhannan, did not attend one meeting of the court in two years after he qualified in July 1784 as justice. The names of those recommended by the justices at the first meeting of the court to be sent to the governor in the future "to fill the office of the peace for said county"³⁸ were men who lived near enough to the county seat to join justices already appointed in carrying out the work of the court: George Jackson, John McCally, John Sleeth, John Wilson, Cornelius Westfall, John Goodwin, Edward Jackson, Benjamin Robinson, John Prunty, and Robert Maxwell.³⁹

The court followed the provisions of the act passed the month before by the assembly. Benjamin Wilson administered the oath of allegiance to the Commonwealth to John P. Duvall who then administered the oath to the other justices. William Lowther produced a commission from the governor dated June 14, 1784, naming Lowther sheriff⁴⁰ and was sworn in by Duvall with George Jackson and Benjamin Wilson as the sheriff's securities.

The court named Benjamin Wilson clerk for the new county. They recommended that the governor appoint William Haymond as principal surveyor; James Anderson and Nicholas Carpenter, coroners; John P. Duvall, county lieutenant; Benjamin Wilson, colonel; Henry Delay, lieutenant colonel; and William Robinson, major. They ordered many roads to be laid out. They appointed seven constables.⁴¹

The waterways influenced the choice of a site to hold court and erect public buildings. The Tygart's Valley River is too rocky either to be navigated or to be developed. The West Fork River is less rocky and land where Elk Creek flows into the river, land awarded by right of settlement to Daniel Davisson and Andrew Davisson, had already been picked as most propitious for a county seat before the court held its first meeting. On the land was a settlement called "Clarksburg."⁴² The court voted to erect public buildings on land donated by Daniel Davisson and Joseph Hastings.

The work of George Jackson, the most ambitious politically⁴³ of the founders of the county and a man described as "very much disposed to have his own way in anything he was connected with"⁴⁴ can be seen in the choice of the place for a county seat when during the first meeting, the court gave Jackson permission to build a mill on Elk Creek in or adjoining Clarksburg.⁴⁵ Jackson was in the process of moving his family to Clarksburg in July 1784.

"The house in which this first court was held stood near the present town of Buckhannon in the neck of the loop of the river, about one mile east of the Upshur County Courthouse, and is said to have been built by John, the father of George Jackson. It has long since been torn down and no part of it is now standing."⁴⁶ It was surely a primitive log structure probably less comfortable than the ordinary later operated by George Jackson in his residence in Clarksburg. After a night spent in the Jackson ordinary in July 1788, Bishop Asbury wrote: "O, how glad should I be of a plain, clean plank to lie on, as preferable to most of the beds, and where the beds are in a bad state, the floors are worse. The gnats are almost as troublesome here as the moschetoes [sic] in the lowlands of the seaboard."⁴⁷

The second meeting of the Harrison County Court was held in the house of Hezekiah Davisson in Clarksburg, the town where the court has met each month from August 1784 to August 1983.

The land included in Harrison County in 1784 would not stay intact long for within two years the Beverly settlement in the Tygart's Valley thought the court in Clarksburg too far away to serve their needs. In 1787 the Virginia General Assembly passed an act forming Randolph County. By 1798 the Harrison land along the Ohio River had filled with enough people for the assembly to create Wood County. The counties formed entirely or partly from land originally in Harrison County are:

Barbour	1843	Lewis	1816	Taylor	1844
Braxton	1836	Marion	1842	Tucker	1856
Calhoun	1856	Pleasants	1851	Upshur	1851
Doddridge	1845	Pocahontas	1821	Webster	1860
Gilmer	1845	Randolph	1787	Wirt	1848
Jackson	1831	Ritchie	1843	Wood	1798

FOOTNOTES

1. William W. Hening, Statutes ... of Virginia, Vol. 11, pp. 366-68.
2. Charles H. Ambler and Festus P. Summers, West Virginia, the Mountain State, p. 37.
3. Hening, Statutes, Vol. 5, pp. 78-80.
4. Indiana, Ohio, Vandalia companies. Ambler and Summers, pp. 41-45, 82-87.
5. Ambler and Summers, p. 58.
6. Fort Pitt was renamed "Fort Dunmore" after it was rebuilt in 1774. Ibid., p. 59.
7. "... the District of West Augusta which embraced not only the disputed area around the forks of the Ohio but all of West Virginia west of the crests of the Alleghenies." Otis K. Rice, The Allegheny Frontier, p. 79.
8. Alexander S. Withers, Chronicles of Border Warfare, p. 71.
9. Ambler and Summers, p. 58.
10. "Court in September and November 1776 was held at Augusta Town, in what is now Washington County, Pennsylvania, about two miles from the County seat on what is known as the Gabby farm. This spot has been marked by a monument containing the following inscription: 'On this spot was held in 1776 the County Court for the District of West Augusta, Virginia, the first court held by any English speaking people west of the Monongahela River. Erected by the Washington County Historical Society in 1905' ". Henry Haymond, History of Harrison County, p. 194.
11. The indefinite boundary of Dunmore's District of West Augusta is reflected in the first words of the act of the Virginia Assembly that recognized the existence of the district: "Whereas it is expedient to ascertain the boundary between the county of Augusta and the district of West Augusta, be it therefore enacted ... that the boundary between the said district and county shall be as follows: "Hening, Statutes, Vol. 9, p. 262. The assembly ran the line of the district, and the first boundary of Monongalia County, north of the present City of Fairmont to eliminate the water of the Tygart's Valley River; west to eliminate the waters of the West Fork River and leave present Harrison County in Augusta County; and south to the southern boundary of present Doddridge County to include all waters of Middle Island Creek in the District of West Augusta. see Edgar B. Sims, Making a State p. 195, Map 2.
12. When business was urgent, settlers on drains of the West Fork and the Tygart's Valley rivers journeyed to Staunton, for on August 18, 1778, George Jackson, who lived on the Buckhannon River, appeared in Augusta County Court to be sworn in as constable in the county. Chronicles of the Scotch-Irish Settlement in Virginia ... extracted from the Original Court Records of Augusta County, Vol. 1, pp. 97, 200.
13. Hening, Statutes, Vol. 10, p. 114.
14. "William Lowther appeared in court and proved to the satisfaction of the court that he volunteered under Clark in 1781, that he received a Major's commission from Clark, that he acted from June 21 until August 11 and then obtained a discharge. He was seven days from date of discharge to arrival home. The discharge was from sickness." Harrison County, Va. (W.Va.), Court, Order Book 1784- 1792, p. 61.
15. George Rogers Clark did not find at Pittsburgh enough men to march to Detroit. Some of the men who had left from Nutter's Fort walked home from the mouth of the Little Kanawha River. Others, more hopeful of Clark's finding more recruits in Kentucky, went on to Louisville and walked home from there. Lucullus V. McWhorter, Border Settlers of Northwestern Virginia, pp. 114, 248.
16. Also called "Buckhannon" Fort.
17. Haymond, History of Harrison County, p. 22.
18. Hening, The Statutes... of Virginia, Vol. 11, pp. 317-18.
19. Virginia, General Assembly, Legislative Petitions, Monongalia County.
20. Ink on portions of the paper containing signatures is so faded that a count is inaccurate.
21. Virginia, General Assembly, Legislative Petitions, Monongalia County.
22. Ibid.
23. Journals of the Council of the State of Virginia, Vol. 3, pp. 355-56.
24. Hening, Vol. 11, pp. 366-68.
25. The Monongahela River - West Fork River line was the frontier for the longest period of time (1773 - 1788) of any frontier in the history of the United States. The Virginia Assembly did not form a county (Wood) from the western lands of Harrison until two years after the Treaty of Greenville (1795) which ended Indian incursions.
26. Benjamin Wilson, as a lieutenant, served on Governor Dunmore's staff during Dunmore's expedition against the Ohio Indians in the Sciota Valley. On the way home to Hardy County in the fall of 1774, he saw for the first time the Tygart's Valley and liked it so well that he bought out the tomahawk rights of two settlers. Shortly after he had moved his family to the new lands, he built Wilson's Fort. During the years of the American Revolution, when military affairs in his portion of the frontier were conducted through him, he prevented the settlement from being abandoned by inhabitants who depended on his skill and good judgment. He was a delegate to the Virginia Assembly, a member of the Virginia convention of 1788 that adopted the Constitution of the United States, and a justice and county clerk of Harrison County from 1784 to 1814. When Randolph was formed from Harrison in 1787, Wilson moved to Simpson Creek so that he could continue to be clerk of the Harrison County Court. Henry Haymond, pp. 388-89.
27. Henry Haymond, p. 276.
28. In 1785 Jacob Westfall listed the tithables "from Leading Creek up to Petty's Ford, including both sides of the Valley River." Haymond, p. 276. Westfall later moved to Booth's Creek. Harrison County, Va. (W.Va.) Deed Book, No. 14, p. 285.
29. Ibid., No. 1, p. 3, Haymond, p. 276.
30. Harrison County, Va. (W.Va.), Deed Book, No. 1, pp. 9, 12, 15, 28; Haymond, p. 277.
31. Harrison County, Va. (W.Va.), Deed Book No. 2, p. 515; Haymond, p. 275. Thomas Cheney moved to a site south of Big Run on the Ohio River in 1796. Donald F. Black, History of Wood County, p. 12.
32. Nicholas Carpenter was assignee of John Simpson to land at the mouth of Elk Creek (Stealey). Carpenter was coroner and sheriff of Harrison County and trustee of Randolph Academy and the town of Clarksburg. Haymond, pp. 24, 195, 209, 210, 255. In September 1791 while driving cattle to sell in Marietta, he and his ten-year-old son were killed by Indians. Withers, p. 211.
33. John P. Duvall (1737-1803) homesteaded on the West Fork River in 1776 and later lived in Clarksburg. He was a member of the Virginia Senate from Monongalia County 1780 - 1784 and from Harrison County 1784 - 1792. He was trustee of Randolph Academy. As county lieutenant, 1784-1792, he was in charge of military defenses for much of present northern West Virginia when the entire frontier was aflame with Indian war. He owned vast

acres in Harrison County and an island in the Ohio River which was named for him. He moved to Kentucky in 1803. Ray Swick, "John Pearce' Duvall", Archives, Blennerhassett Historical Park Commission, Parkersburg, W.Va.

34. William Lowther registered 400 acres on Hacker's Creek by right of settlement. Haymond, p. 381.
35. John Powers built Powers' Fort on Simpson's Creek. He was a trustee of Randolph Academy. Haymond, pp. 183, 287.
36. Harrison County, Va. (W.Va.), Deed Book, Vol. 4, p. 243. James Anderson was the second sheriff of Harrison County. Haymond, p. 205.
37. Although he is listed among tithables on Simpson Creek in 1785. William Robinson did not stay there long. In October 1788 he bought land east of Elk Creek in Clarksburg from Andrew Davisson. He was a Clarksburg merchant and a trustee of Randolph Academy. Harrison County, Va. (W.Va.), Deed Book, No. 1, p. 95; Haymond, pp. 276, 288, 429.
38. Harrison County, Va. (W.Va.), Court, Order Book 1784-1792, p. 4.
39. Ibid.
40. Ibid., p. 1.
41. Ibid., pp. 1-5.
42. Clarksburg was named in honor of General George Rogers Clark after he had captured the fort of Vincennes in 1778, for in Report of Commissioners on Adjustment of Claims to Unpatented Lands, Monongalia, Yohogania, Ohio, Counties, Virginia, the commissioners in 1781 referred to the town of "Clarksburg". Clarksburg was not incorporated by the Virginia Assembly until 1785.
43. George Jackson was a member of the Virginia Convention which ratified the U.S. Constitution in 1788; the Virginia House of Delegates 1785-1791, 1794-1795; the U.S. House of Representatives in the Fourth, Sixth and Seventh sessions of Congress. After he had moved to Ohio ca. 1805, George Jackson was a member of the Ohio House of Representatives 1809-1812 and the Ohio State Senate 1817-1819. Biographical Directory of the American Congress, p. 1177.
44. Haymond, p. 378.
45. Harrison County, Va. (W.Va.), Court, Order Book, 1784-1792, p. 5. Jackson had entered 400 acres of land on Elk Creek in land commissioners' books April 2, 1783. Report of Commissioners on Adjustment of Claims to Unpatented Lands, Monongalia, Yohogania, Ohio Counties, Virginia.
46. Haymond, p. 197.
47. Francis Asbury. The Journal of the Rev. Francis Asbury, Vol. 2, pp. 35-36.

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