



**Barry Lawrence Ruderman
Antique Maps Inc.**

7407 La Jolla Boulevard
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**(Tugalo River, Georgia) Georgia The above Plan Exhibits The form and marks of 72,715 acres of Land composed of Seventy three distince Surveys, lying in Franklin County on the Waters of the Tugalo River, and Recorded in the Surveyor Genels. Office in Book R. from P. 241 to 258. Surveyed on the 15th day of July, 1793 for Thomas Gilbert . . .
Copied by D. Sturges**

Stock#: 65653
Map Maker: Sturges

Date: 1793
Place: Franklin County, Georgia
Color: Pen & Ink
Condition: VG
Size: 27 x 21 inches full sheet

Price: SOLD



Description:

Prepared By The Future Surveyor of the State of Georgia

Rare Early Georgia Plat, 9 Years After The Conclusion of the American Revolution by Daniel Sturges as Deputy Surveyor of Georgia, who would go on to become Georgia's State Surveyor.

The map illustrates a large tract of land on the south side of the Tugalo River in what was then Franklin County, on the Georgia-South Carolina border.

The owner of the land, Thomas Gilbert, and one of the signatories, John Gorham, were 2 of the 33 Georgians elected to the Georgia convention which ratified the US Constitution.

The lands in question were the subject matter of litigation in later years when:

*Robert Walsh and Stephen Casenave [filed a lawsuit against] Thomas Smyth, J r., John Blanton, John F. Gardner, Freeman Lewis, **Thomas Gilbert**, Benjamin Chew, John Heathcote, James Dall, Isaac Wikoff, James Clayland, William Cox, Joseph Anthony and Son, and the heirs of John Lynch . . . [claiming] that Smyth and Lynch, pretending to be entitled to a large*



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*quantity of land in the State of Georgia . . . [which] possess[ed] great advantages of water and navigation, and to be situated in an increasing, populous and wealthy country; and as evidences of . . . title . . . exhibited . . . a plot of a tract said to contain **seventy-two thousand, seven hundred and fifteen acres of land, on Tooglo River, purporting to have been surveyed for Thomas Gilbert**; one other plot of two adjoining tracts of land, the one said to contain sixty thousand acres, granted to John Blanton, on the 24th day of March, 1794, and the other said to contain sixty thousand acres, granted to Freeman Lewis, on the same day; and a third plot representing a tract of land surveyed for John F. Gardner, and granted on the 21st of March, 1794, twenty-one thousand acres of which in his name, and the remaining part in the name of Thomas Gilbert, granted — day of—, 1795.*

*. . . A paper purporting to be a certificate given by **Thomas Gilbert**, on the 22nd of August, 1794, stating, that he had surveyed twenty-one thousand acres for John F. Gardner, on the 1st of August, 1793, in Franklin County, and that he believed the whole to be clear of elder surveys. . .*

*[The Plaintiffs employed] Jared Bull to go to Georgia, to inquire as to the title and quality of the lands . . . [Jared determined the claims were] fraudulently obtained upon forged warrants . . . and that such parts of the said lands as were within Franklin County had been surveyed five or six years prior to the grants under which Smyth and Lynch claimed; and the whole were held and owned by divers citizens under lawful titles. **That seventy thousand acres of the land in the said plot surveyed for Gilbert, was within the Indian Territory**; and being beyond the line between the whites and Indians, no valid grant of it could be made by Georgia, without the assent of the United States, which had not been obtained . . .*

Maryland Court of Chancery, Walsh v. Smith, 3 Bland, 1 (1824).

Franklin County, Georgia

Franklin County was created on February 25, 1784, the first county established in the state after the American Revolution (1775-83). William Bartram traveled through part of present-day Franklin County in 1773. At that time members of the Lower Cherokee Indian tribe lived there.



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The original inhabitants of this Piedmont region were the Creek and Cherokee Indians. Over the years, the Creek and Cherokee Indians became indebted to the new settlers which led to the treaties of 1773 and 1783, where they relinquished claim over the land to the white settlers.

The Treaty of May 31, 1783, between the State of Georgia and the Cherokee Indians led to the development of the ninth county in Georgia, Franklin County. The original Franklin County encompassed parts of South Carolina and twelve counties in Georgia. The Treaty of Beaufort in 1787 that allowed the secession of the northern section of Franklin County to South Carolina.

Detailed Condition:

Several minor fold splits, reinforced on verso.