

Dumfries, Va., October 6, 1806
Governors Executive Papers – Wm. Cabell
Accession number 41135, Oversized Box, Folder 13

Prince William County Court, September 1st 1806 – Ordered that the Magistrates of this County be summoned to the next court to nominate a surveyor in this county in the room of Henry D. Hooe deceased and to recommend officers to fill up vacancies in the 89th Regiment of Virginia Militia.

Teste,

J. Williams Cl. Cur.

Sheriffs return “Executed on Alexander Henderson, James Deneale, Wm. Barnes, Townshend Dade, John Muschett, Thomas Harrison, William Grant and Thomas T. Page.

R. D. Cole D. S. for Wm. Downman

Prince William County Court, October 6th 1806

Present, Alexander Henderson, Henry Washington, John Macrae, Wm. Grant, Bernard Hooe Jun., Townshend Dade, Washington J. Washington, Philip Alexander, Thomas P. Hooe, Gwynn Page, Thomas T. Page, Alexander Bruce, Charles Ewell, David Boyle & Samuel Jackson, Gentlemen Justices.

Ordered that the following persons be recommended to the Executive as proper persons to be commissioned as officers in the 89th Regiment Virginia Militia, Vizt. William B. Saunders Capt. Vice, Robert H. Little who refuses to accept of his commission, James Green lieutenant vice, Richard Brett who refuses to accept of his commission, William Wheeler lieutenant vice, John Brown removed, James Rose Jun. lieutenant, vice Elias Obannien promoted, Sanford Rogers ensign vice, Wm. B. Saunders promoted, Elias Newman ensign vice, Bryan Cundiff removed, Jesse Petty ensign, James Rose promoted.

Teste, J. Williams Cl. Cur.

1806, Dumfries Va.
Governors Executive Papers
Accession #41135, Box 2, Folder 11
The Petition of John Butler

To his Excellency William H. Cabell Esq. and the Honorable members of the Privy Council of State.

The petition of John Butler humbly represents to your honorable body that at a court held for the District of Dumfries, beginning on the eighteenth of May 1802 he was convicted of Horse Stealing, and sentenced by the honorable judges then presiding, to undergo a confinement in the public jail and penitentiary house, for the term of five years and six months.

Wherefore your petitioner humbly shews to your honorable body, that he has endured a painful imprisonment of near five years; during which time, he has ever endeavored to submit to the rules and regulations formed to govern him in his present situation; and to perform as much labor as he was able during the time; That he has long since been made to rejoice in the justice and mercy of the law under which he has suffered. And he has endeavored to testify his sincerity in this by discharging the duties of his station. Your petitioner further shews to your honorable body, that he has no person of near relation, only a wife and three small children, to gain a friendship for him, so as to procure him a petition from the parts where he has resided a few years in this state; he relies therefore, solely on the executive and the manner of his conduct since his confinement in this place; hoping that your goodness will incline your honorable body to extend mercy to him and his distressed family; and your petitioner will ever pray &c.

John Butler

31 March 1807 Virginia Penitentiary
Governors Executive Papers – Cabell
Accession #41135, Box 3, Folder 6
Letter from Samuel Hawe

Sir,

These few lines are to inform you that on reflection I recollect I omitted to mention a large bright bay horse that was stolen out of a lot in Baltimore last August was a year by David Arston & John Bellford, (who I particularly named in my communication some time ago) for which there was \$100 reward advertised for him, he was sold by

me to Mr. Jessy Simms who keeps the stage that runs morning and evening from Alexandria to the Federal City, who kept him as a stage horse, & had him in possession last summer when I was convicted to this place. He was taken out of a lott in Baltimore back of the old jail belonging as well as I recollect to Mr. Tygott his Christian name I think is (John) And is adjoining to or very near Colo Howards; feeling it to be my duty to give all the information that may be any wise useful to the community. I have taken the liberty to mention this to you hoping that you will give the same Colo Howard or Mr. John Tygott either of whom will readily know the horse by the circumstances I have named with this submission.

I remain your unhappy convict
Samuel Hawe

7 September 1807
Governors Executive Papers
Accession #41136, Box 4, Folder 7
Prince William County Court

Charles Ewell presented to the court a bond in the penalty of \$24,000 to William H. Cabell, Governor of the Commonwealth dated the 3rd day of August 1807 in which Solomon Ewell Jr. and William Cundiff are his securities which bond is conditioned for the said Charles Ewell as agent for the Commonwealth within the counties of Loudoun, Fairfax, Fauquier, Prince William, Stafford and King George to truly and diligently collect account for and pay into the Public Treasury according to the provisions of an act of assembly passed the 19th of January 1807 entitled "An act to empower the executive to appoint persons to collect the arrears of taxes "And on the said Charles Ewells motion the court doth certify that it is their opinion the said Ewell and Cundiff are sufficient securities.

Teste, J. Williams Cl. Cur.

Came before me Charles Ewell of the County of Prince William & made oath that he believes after paying his just debts he is worth fifteen thousand dollars.

Given from under my hand this 1st July 1807.
Henry Washington

Came before me William Cundiff of the County of Prince William & made oath that he believes after paying his just debts he is worth twelve thousand dollars.

Given from under my hand this 4 Sep 1807.
Gwyn Page

Came before me Solomon Ewell Sen. of the County of Prince William & made oath that he believes after paying his just debts he is worth ten thousand dollars.

Given from under my hand this 7th day Sep 1807
David Boyle

19 September 1807
Governors Executive Papers – Cabell
Accession #41135, Box 4, Folder 8

To His Excellency William H. Cabell chief magistrate of the State of Virginia

The petition of John B. Anness and Walter Maddox of Prince William County humbly sheweth that they are confined in the jail of the said County of Prince William by virtue of a judgment of the court of the said county rendered on an indictment for an assault made on one Daniel Dorothy. That by the said judgment they were condemned to six months imprisonment in the said jail. That your petitioners were forced into the trial of the said indictment, when they were not prepared with testimony or they would have been enabled to have placed their cause in a very different point of view from the one, in which it appeared to the court & jury. That the assault for which your petition have their suffered & are still doomed to suffer without your interference was neither wanton or unprovoked that the injury done to the said Dorothy was inconsiderable & of short duration. That your petitioners _____ unwilling to be bound with sufficient securities for the time to which they are still subject to confinement under the before mentioned judgment that they will keep the peace and be of good deportment. That your petitioners having suffered three months confinement pray that you will be pleased to grant them a pardon for the residue of the time & they are duty bound with even pray &c. &c.

September 19th 1807
John B. Anness

We the undersigned inhabitants of Prince William County being acquainted with the circumstances of the assault mentioned in the foregoing petition & of the situation of the petitioners, humbly hope that their petition will be granted.

Subscribers Names

James Denele
Jesse Woodyard
Thomas Thornton
Thomas Chapman
James Hayes
Robert Hedges
Moses Duffy
Chas Deane
Samuel Davis
Lewis Dickenson
William Walters
James Boswell
William Farrow
Benjamin D. _____ Jr.
Benjamin Pettit
John _____
William Hoar
John Mitchell
John Nelson
John B. Nelson
William Pettit
William A. Pierce?
William Carper
Solomon Hedges
James Griggs –one of jury
Jno Butler
Withers Waller

Subscribers Names

Samuel Johnson
George Cockrell
William Smith
John Williams
John Bronaugh
James Triplett
Levi Scott
William Tansil
Richard Tomlin
Wm. McClenahan
George Williams
John Merchant
Jacob Merchant
Seth Botts
John Lowe
Henry Brawner
Larkin Carr
Alex Brawner
Austin Edrington
___ Ratcliffe – one of the jury
Jeremiah Dowell
William Brawner
Zachariah Glover
John Fewell
Thomas Cole
Burr Williams

Dumfries, Va., June 10, 1808

Governors Executive Papers – William Cabell

Accession #41135, Box 6, Folder 9

On the trial of Capt. Alexander Howison which took place in Dumfries on the 14th & 15th day of December 1807. I was ordered to summon witnesses as well for the Commonwealth as the said Howison, which I did, but did not prove the time I was necessarily engaged in performing that duty before the Court Martial, which was two or three days. The time which would have been consumed in writing certificates for the members of the Court Martial and the witnesses would not have amounted to more than one day.

Given under my hand this 10th June 1808

Phil D. Dawe

Sworn to before me this 10th June 1808

Dan L. Hylton

Dumfries, Va., September 3, 1808
Governors Executive Papers – William Cabell
Accession #41135, Box 7, Folder 1
Court Martial of Enoch Renoe

At a meeting of the officers of the 36th Regiment Virginia Militia at the court house of Prince William County on the 3rd day of September 1808 pursuant to notice. Present:

Majors – Townshend Dade & Major Jno M. Muschett

Captains – Thomas Chapman, Richard Cole, Jas Hayes, Posey D. Grant, & Isham E. Hedges.

Lieutenants – James C. Denale, Samuel Cole, Joseph R. Lynn, Philip D. Dawe, Thomas A. Smith, & Richard Weedon

Ensigns – Colin Campbell, John Merchant, Joseph Smith, William Nelson, John Stone & George Weedon

Major Townshend Dade was called to the Chair, Ensign Colin Campbell appointed secretary.

Whereas it appears to us from reports in circulation (which if proved) we conceive that Colonel Enoch Renoe has been guilty of an offence which would vacate his commission and being forcibly impressed with an idea that the duty which we owe to our country and ourselves imperiously demands we should have the matter of the said reports enquire into by the proper tribunal where the said Renoe may have an opportunity of vindicating his character and by doing so justify us in holding our commissions under him Therefore they are resolved; That John Muschett, Thomas Chapman, Richard Cole, Isham E. Hedges, Philip D. Dawe, Thomas A. Smith, & Joseph Smith, be and they are hereby appointed a committee to wait upon Colonel Renoe or give him notice of the intention of the officers to make enquiry into the truth of certain reports which have been in circulation to the injury of his character and in case of the militia being called into actual service may be extremely injurious to the service of their country, in order that he may have an opportunity if he thinks fit to prevent such enquiry by a resignation of his command. And that they report to a meeting of the officers on the 10th instant at 11 o'clock their proceedings in the premises, they are also required to report such other matters and things as they may deem necessary to a full investigation of the subject.

Townshend Dade – Major 2nd Battalion
Jno. M. Muschett – Major 2nd Battalion
Thomas Chapman – Captain 1st Battalion
Richard Cole - Captain 1st Battalion
Posey D. Grant – Captain 2nd Battalion
Isham E. Hedges - Captain 1st Battalion
Jas C. Deneale - Lieutenant 1st Battalion
Samuel Cole - Lieutenant 2nd Battalion
Joseph R. Lynn - Lieutenant 2nd Battalion

Philip D. Dawe – Lieutenant 2nd Battalion
Thomas A. Smith Lt. Infy. 1st Battalion
Richard W. Weedon – Lieutenant 1st Battalion
John Merchant – Ensign 1st Battalion
Joseph Smith – Ensign 2nd Battalion
William Nelson - Ensign 1st Battalion
John Stone - Ensign 1st Battalion
George Weedon - Ensign 1st Battalion

Teste, Colin Campbell, Secretary

Prince William County Court

At an adjourned meeting of the officers of the 36th Regiment Virginia Militia on the 10th day of September 1808.

Major Townshend Dade, Chairman & Ensign Colin Campbell, Secretary

Major – Jno M. Muschett

Captains – Thomas Chapman, Richard Cole, James Hayes, Posey D. Grant, & Isham E. Hedges.

Lieutenants – Samuel Cole, Joseph R. Lynn, Philip D. Dawe, Thomas A. Smith

Ensigns – John Merchant, Joseph Smith, William Nelson, John Stone & George Weedon

Thomas Chapman, Captain of 1st Battalion; James C. Deneale, Lieutenant 1st Battalion; and Richard W. Weedon, Lieutenant 1st Battalion, were absent. Chapman and Weedon being confined by sickness and Deneale upon business out of the county. But these gentlemen have desired it to be signified to the meeting that they were aware of its object and concurred in the resolutions.

The committee appointed by the members of the 3rd Inst. having returned a report of their proceedings under the order of the said members the same was read in the following words – “Your committee to whom it was referred to communicate to Colonel Renoe the resolutions of the officers assembled on the 3rd instant have according to order waited on him with a copy of the said resolutions which they offered to present to him but he pointedly refused to receive them and to your committee’s earnest request that he should adopt some measures to rescue his character from the stigma with which it is blotted, or if he wishes rather to avoid the scrutiny that he should resign

his command, he briefly replied that he would hold no communication with your committees or their constituents and that they were at liberty to pursue their own course” From the investigation which your committee have been able to make they are impressed with the conviction that the reports which are in circulation concerning Colonel Renoe are true. And it was their intention to have presented to you affidavits to verify this fact, but on their application to several who had means of correct information, although they confirmed the reports yet they expressed an unwillingness to make voluntary affidavits. And as your committee wishes not to present to you a partial view of the colonels case they have deemed it more proper to exhibit to you no other evidence than the record of the suit between Renoe and Barron which with the facts in the knowledge of many of this meeting it is thought will suffice to point out that course of conduct which it will be proper to pursue towards Col. Renoe. All which is respectfully submitted &c.

John Muschett
Thomas Chapman
Richard Cole
Isham E. Hedges.

Philip D. Dawe
Thomas A. Smith
Joseph Smith

Whereupon the said officers taking into their consideration that the interest of the 36th Regiment and their own Honour requires that Colonel Renoe should no longer command it and as doubts are entertained whether for the offence with which Colonel Renoe is charged a Court Martial can be held on him.

Therefore resolved that the annexed remonstrance be presented to the Executive of this Commonwealth immediately to the Governor and Council a copy of the same together with a copy of these resolutions and of those of the 3rd instant; also a copy of the record of the suit for slander brought in the court of this county by the said Renoe against Hendley Barron.

Resolved lastly that this meeting be adjourned to the 30th instant when it shall be again held to receive the communication of the Executive in reply to their remonstrance.

Townshend Dade, Chairman
Colin Campbell, Secretary

The Remonstrance of the undersigned officers of the 36th Regiment of Virginia Militia to the Honorable the Governor and Council of the Commonwealth of Virginia humbly represent

That your remonstrance have ever held in veneration and respect that principle of our government which pronounces a well regulated militia composed of the body of the people trained to arms, to be the proper natural and safe defence of a free state. That with a full sense of the importance of this maxim was an honest intention to contribute their powers towards promoting and carrying it into effect; they accepted the commissions which they now have the honor to bear. It was their and still is a sentiment strongly impressed on the minds and which they have ever cherished, that in order to ensure respect, obedience, promptitude and alacrity, on the part of the commanded. The character of the commander should be distinguished by integrity, honour, courage and dignity. When these qualities are wanting in the person of the superior, insubordination and contempt must reign with the superior.

And it is with a sensation peculiarly painful that the undersigned have found this idea realized in the regiment in which they hold commands. Colonel Enoch Renno the commandant of the 36th Regiment has been raised from the rank of an ensign to the highest office in the regiment without merit and solely on the principles of seniority. In the inferior commissions which he has borne, the circumscribed sphere of his action limited the extent of the exposure of his incapacity and weakness. But when Colonel Renno was elevated to the command of the Regiment, such of your remonstrant's as then held commissions felt pained that their duty compelled them to yield obedience to one, who while as a man he could not command their respect. As an officer, daily proved to them that he wanted every quality which should have recommended him to his commission. They were not ignorant that the laws regulating the militia made inability a good course of removal from command but they were well aware that Courts Martial are in general but too much inclined to leniency, and that however egregiously incapable and unfit for command an officer's general conduct may prove him, yet it may be most difficult to adduce proofs sufficiently strong to justify his removal; and for these reasons they forbore a prosecution.

A circumstance at length occurred too well calculated to rouse their indignation, to be passed over without notice. Colonel Renno was loudly and publicly charged with the commission of the hateful crime of willful and corrupt perjury. This rumour has circulated for some time and your remonstrant's saw no efforts made by the colonel to vindicate his character either by demanding personal satisfaction of his accuser (who had publicly avowed himself) or by instituting a suit to clear away the aspersion under these circumstances they felt themselves bound to demand of the proper authority an investigation into the colonels conduct. But to this demand it was replied by the General of the Brigade that as the fact in which the perjury was said to have been committed had occurred more than

two years before the application for arrest was presented, that therefore he was barred by a late act of assembly from convoking a Court Martial.

As shortly after or about this time Colonel Renno commenced an action of slander against Doctor Barron who had charged the perjury on him. Your remonstrant's determined to await the event of this suit. That event has unfortunately justified every unfavorable impression which Colonel Renno's general conduct had before made, and has too truly proved that he is alike deficient of the honour of an officer and the integrity of a man.

The defendant in his plea fully justified the charge and set out wherein the perjury had been committed; on the trial, he, in the outset declared his abandonment of the plea of "Not Guilty," which his counsel put in, and wholly relied on his justification.

This cause came on for trial at the last June term of the County Court of Prince William, and after a very full and fair investigation, the jury returned a verdict for the plaintiff of "one cent damage," which on the remonstrance of the plaintiff's counsel was afterwards altered to seven dollars, in order to charge the defendant with the costs. It is not without a sensation of shame for the sword which Colonel Renno has disregarded that your remonstrants declare that it seemed the universal opinion of the crowd assembled at the trial, among whom were NINE of your remonstrant's that he had been fully guilty of the detestable crime of which he had been accused.

If anything could add to the infamy of this scene, it is, that during the retirement of the jury, the Colonel was discovered in the act of endeavoring to tamper with them. Notwithstanding his long course of incapacity, and notwithstanding his late public exposure to disgrace and infamy. Your remonstrants were still disposed to observe delicacy towards Colonel Renno. A regard to their own honor and respectability both as officers and gentlemen, required that they should neither be commanded by, nor associated with him. With this view a convention of the officers of the regiment was held, at which all the officers were present but EIGHT, of whom two were nearly connected by affinity with the Colonel and the rest were necessarily absent, though it is well known that some of their opinions correspond with those of your remonstrant's. The officers composing this meeting with the single exception of one, concurred in the resolutions, whereof a copy is respectfully submitted to your Honorable Body, in which it is proposed to Colonel Renno either to resign his commission, or to seek an investigation unto his conduct before a military tribunal. These resolutions have been presented to the Colonel by the committee therein named: and although, to save his feelings they are couched in terms of delicacy he has refused to read them and with shameless confidence has set these officers at defiance, relying as your remonstrants verily believe on the limitation which barred his prosecution before a court martial.

Such is the man with whom your remonstrants are necessary associated and to whose command as officers they must submit. Such is the man to whom is committed the care, the superintendence, and organization of a Regiment of the State of Virginia. Such is the man under whose orders and with whom at their head they may perhaps be lead on to defend their country. Your remonstrants do verily believe that if this man is retained at the head of the Regiment, the mostly serious evils will result to that body of militia which composes it, for it is their entire belief that in such event, all those offices who can do so, will resign their commissions, and that decent and respectable men cannot be found, who would be willing to supply their vacancies. Thus their situation is truly embarrassing, a disobedience of their superior officer is unbecoming their character and would expose them to the penalties of the law, a submission to his command subjecting them to division and contempt.

Under these circumstances from a regard to the public good and their own honor, and from no private pique or resentment (for they feel none) have the undersigned brought the case before your Honorable body.

If it be your opinion that Colonel Renno is still liable to a prosecution before a court martial, it is respectfully hoped that you will order measures to be taken to affect this desirable object. But if on the other hand it be true that he cannot be so prosecuted for the reasons for which the General of this Brigade has already refused to convoke a court martial. Then it is earnestly entreated that your Honorable Body will remove from command in the militia a man who stands as a blot on it.

Townshend Dade
John M. Muschett
Thomas Chapman
Richard Cole
Posey D. Grant
Isham E. Hedges
Samuel Cole
Joseph R. Lynn
Phil. D. Dawe
Thomas A. Smith
Colin Campbell

Major 2nd Battalion
Major 1st Battalion
Captain 1st Battalion
Captain 1st Battalion
Captain 2nd Battalion
Captain 1st Battalion
Lieut. 2nd Battalion
Lieut. 2nd Battalion
Lieut. 2nd Battalion
Lieut. Lt. Infy. 1st Battalion
Ensign Lt. Infy. 1st Battalion

John Merchant
John Stone
William Nelson
Joseph Smith
George Weedon

Ensign 1st Battalion
Ensign 1st Battalion
Ensign 1st Battalion
Ensign 2nd Battalion
Ensign 1st Battalion

Attest, Colin Campbell, Secretary

A Copy of the proceedings of Rennoe vs Barron

The Commonwealth of Virginia, to the Sheriff of Prince William County, Greetings: We command you that you take Hendley Barron if he be found in your bailiwick, and him safely keep, so that you have his body before the justices of our said County Court, at the Court House, on the first day of June Court next to answer Enoch Rennoe of a plea of trespass on the case. Damages ten thousand dollars and have then there this writ. Witness John Williams, Clerk of our said court this 1st day of May 1807 in the 31st year of the Commonwealth.

John Williams

Endorsed "For Slander and bail required Harrison p.g.
Sheriffs return "Executed May 2nd 1807 Samuel Cole D.S. for Charles Ewell

And A Rules held in the office June 1807 continued

An A Rules held in the office July 1807 declaration filed and continued

The following is a copy of the declaration vizt.

"Prince William County – Enoch Renno complains of Hendly Barron in custody &c of a plea of trespass on the case. For that whereas the said Enoch now is a good true honest faithful citizen of the Commonwealth and as such a good true honest & faithful citizen from the time of his nativity hitherto hath always behaved had and governed himself and hath always until the speaking & publishing of the words hereafter mentioned been held and esteemed as such by all his neighbours & all other persons to whom he was anyways known and hath never yet been guilty nor until the time of speaking and publishing of the several false feigned scandalous, malicious and opprobrious words hereafter mentioned to have been spoken & published by the said Hendley to of and concerning the said Enoch been suspected to have been guilty of perjury, subornation of perjury or any such hurtful crime. By means of which said premises he the said Enoch before the speaking and publishing of the several false feigned, slanderous, malicious & opprobrious words hereafter mentioned had deservedly obtained & procured for himself the good opinion & credit of all persons to whom he was known to wit, at the county aforesaid. And whereas one Isaac Farrow before speaking & publishing of the several words hereafter mentioned stood charged with the crime of Murdering one of his Slaves & the said Isaac was then in custody for such crime & was endeavoring to procure his acquittal by proving his innocence at the Coroner's inquest held upon the body of the Negro aforesaid & Whereas the said Enoch was called upon to give testimony in behalf of said Isaac before the jury in answer to such questions as should be asked him and Whereas the said Enoch at the examining court was qualified to speak the truth the whole truth and nothing but the truth to wit at the county aforesaid. Yet the said Hendley well knowing the premises but greatly envying the happy state and condition of the said Enoch & contriving and maliciously intending wrongfully & unjustly to hurt, prejudice & injure the said Enoch in his aforesaid good name, fame & reputation & to bring him into public scandal ignominy and disgrace & to cause him to be esteemed & reputed amongst his neighbours & other good & worthy citizens of this Commonwealth to be a man guilty of perjury & to cause him to undergo the pains & penalties by the laws of this state made and provided against persons guilty of perjury, after deposing as aforesaid to wit on the (blank) day of (blank) 1805 at the county aforesaid in a certain discourse which he the said Hendly then and there had with the said Enoch of and concerning him the said Enoch in the presence & hearing of divers good & worthy citizens of this Commonwealth & of & concerning his the said Enoch evidence he the said Hendly then & there falsely & maliciously, said, rehearsed & proclaimed & loudly published these false feigned, scandalous, malicious & opprobrious words follow to of & concerning the said Enoch & his evidence aforesaid in the presence and hearing of those citizens that is to say Enoch Renno is perjured, meaning that the said Enoch had been guilty of willful & corrupt perjury in his evidence aforesaid & I will (meaning that he the said Hendly would) prove it & he (meaning the said Enoch) is a perjured villain (meaning that the said Enoch) had been guilty of perjury in his evidence aforesaid. And whereas afterwards to wit on the day and year aforesaid at the county aforesaid the said Hendly with further malice towards the said Enoch maliciously contriving & intending as

aforsaid falsely and scandalously reported asserted and declared of & concerning the said Enoch in the presence and hearing of other citizens of this Commonwealth that he (meaning the plaintiff) was a perjured man & I (meaning the defendant can prove it. By publishing these false scandalous & malicious words the good name fame & reputation of the plaintiff have been injured to the damage of \$10,000 dollars & therefore he brings suit.

Peyton p.g.

And at Rules held in the office August 1807 – Rules to Plead

And at Rules held in the office September 1807 – Continued for Plea

And at Rules held in the office October 1807 – Judgment and a writ of Inquiry awarded.

And at a Court continued and held for said county March the 10th 1808. This day came the Plaintiff by his attorney and on motion of the Defendant by William A. G. Dade his attorney who pleaded not guilty to which the plaintiff replied generally. It is ordered that the judgment and writ of Inquiry awarded in this case be set aside and the cause was continued.

And at a court continued and held for said county the 10th day of June 1808. This day came the parties by their attorneys and the defendant filed Special Pleas to which the plaintiff replied generally and joined the issues. Whereupon came a jury to wit: Francis Dunnington, Nelson Mason, John Merchant, William Davis, George Huber, John McIntosh, John Galloway, Richard C. Lord, Thomas Larkin, William Smith, Henson Simpson, and George Cockrell who being tried & sworn the truth to speak of and upon the issues between the parties aforesaid joined withdrew to their chamber and afterwards brought in the following verdict “We of the jury find the issues for the plaintiff & seven dollars damages & Francis Dunnington “ which verdict the plaintiff prayed might be recorded and judgment thereon to him be given. Therefore it is considered by the court that the plaintiff recover against the said defendant the said sum of seven dollars the damages aforesaid in form aforesaid by the jurors aforesaid assessed and also his costs by him about his suit in that behalf expended and the said defendant may be taken &c.

The following is a copy of one of the Special pleas filed (the other being lost)

“Hendley Barron ads. Enoch Renoe – In Slander – And the said Hendley by his attorney comes and defends the wrong and injury when &c. and says that he is not guilty of the premises aforesaid whereof the said Enoch hath above complained against him the said Hendley and of this he putteth himself upon the country &c and for further plea why the said Enoch should not maintain his action aforesaid against him the said Hendley he the said Hendley saith that the said Enoch his action aforesaid ought not to have and maintain because before the speaking and publishing the words in the first court mentioned to wit on the 7th day of November 1801 at the inquest held over the body of Sarah a Negro Woman Slave the property of Isaac Farrow found by the said inquest to have been murdered by Isaac Farrow, the said Enoch was duly sworn to give evidence to said Jury of Inquest and on his examination being interrogated by one of the said jurors whether he knew anything of the murder of said Sarah or had seen her between the hours of (blank) of the day on which she was alleged to have been murdered he the said Enoch in reply to said interrogatory on his oath aforesaid falsely & corruptly answered that he knew nothing of said Murder and that he had not seen said Sarah on the day on which she was alleged to have been murdered – And afterwards to wit at an examining court held on the 13th day of February 1802 to enquire whether the said Isaac Farrow had been guilty of the murder of said Sarah he the said Enoch having been duly sworn as a witness on said examination on his oath aforesaid did depose and say that on the day on which said Sarah was alleged to have been murdered to wit the 20th day of October 1801 between the hours of (blank) he the said Enoch had seen said Sarah and that she was then alive and sitting near the corner of the kitchen for which reason he the said Hendley did say that the said Enoch had taken contrary and contradictory oaths and therefore was perjured as he the said Hendley lawfully might say for the cause aforesaid and this he is ready to verify. Whereupon he prays judgment if the said Enoch his action aforesaid against him this defendant ought to have and maintain. And for further plea in this behalf the said Hendley in that the said Enoch his action aforesaid against him ought not to have and maintain because he says that on the day on which an inquisition was held by the Coroner of Prince William County to wit on the 7th day of November 1801 aforesaid to inquire by what means Negro Sarah who had been found dead was slain or died after the said jury had been duly sworn and impaneled and while they were engaged in making the inquest aforesaid the said Enoch was duly and legally sworn to give evidence before said jury touching the subject then under their consideration and being so sworn he was asked by the jury aforesaid “Whether he knew any concerning the death of said Negro Sarah or of her having been slain by one Isaac Farrow “ who was then and there charged and suspected of having perpetrated said murder to which interrogatory he the said Enoch on his oath aforesaid falsely & corruptly did depose and say that he knew nothing of the death of said Negro Sarah and of her having been slain by said Isaac and that in short he knew nothing about her” When in fact he the said Enoch knew much about the death of said Negro

Sarah and much about her having been slain by said Isaac for which cause he the said Hendley did say that the said Enoch had been guilty of perjury as he the said Hendley legally might say for the cause aforesaid and this he is ready to verify Wherefore he prays judgment if the said Enoch his action aforesaid against him the said Hendley ought to have and maintain.

Dade p. g.
Teste, John Williams Cl. Cur.

22 September 1808

Governors Executive Papers – William Cabell

Accession #41135, Box 7, Folder 10

Letter from David Boyle

Prince William County to wit:

This day Townshend Dade, Major of the 2nd Battalion of Militia in the 36th Regt. came before me a justice of the peace for the said county and made oath that on the 5th day of September 1807 at the draft of the quota required by the Executive of this State from the said 36th Regt. it did appear to him and he does verily believe that the failure to raise the said quota by voluntary enlistment rather than by Lott, as was required by the Executive, arose solely from the misconduct and incapacity of Col. Enoch Renno who commanded that regiment a larger number than was required from the battalion commanded by this affiant, actually offered their services but the offer was rejected by the said Renno. Col. Renno rarely appears on parade without displaying a want of the skill and information necessary to an officer. And in short this affiant does think that his whole department as an officer displays a general incapacity and unfitness for command.

Given under my hand this 22nd September 1808
David Boyle

Dumfries, Va., 1 October 1808

Governors Executive Papers – William Cabell

Accession #41135, Box 6, Folder 2

Letter from Colin Campbell

To Honorable Alexander McCrae, Lieutenant Governor, Richmond

At an Adjourned meeting of the officers of the 36th Regt. convened to receive the answer of the Executive to the Remonstrance in pursuance of an order of the last meeting.

Major John M. Muschett in the chair – Whereas it is stated to this meeting that it is the opinion of the Executive that Col. Enoch Renoe cannot be constitutionally removed from his command without the judgment of a court martial, and that the perjury charged in the remonstrance cannot constitute a ground of arrest: but that of his inability as therein charged is substantiated by affidavit they will order an arrest.

Resolved therefore that the secretary be directed to enclose to the Executive, the affidavits of Major's Townshend Dade and John M. Muschett, with a letter stating the reasons of the officers for adopting this step.

John M. Muschett

Attest Colin Campbell, Secretary

Dumfries, Va., 1 October 1808

Governors Executive Papers – William Cabell

Accession #41135, Box 6, Folder 2

Letter from Colin Campbell

To His Excellency the Lieutenant Governor of the Commonwealth of Virginia, Richmond

Sir, I am instructed by the officers who lately Remonstrated to you against the conduct of the commandant of the 36th Regt. (Col. Enoch Renoe) to say that they have never received an answer from you to that Remonstrance, but having been informed from good authority that the Executive do not think that they can constitutionally remove Col. Renoe from his command without the intervention of a court martial. And understanding that the charge of incapacity is that on which the Executive alone can order an arrest, they have directed me to forward to you the enclosed affidavits in support of that particular charge in their memorial, and if these affidavits should be deemed by you sufficient to warrant an arrest, they entreat that immediate orders to that effect may be issued.

A particular anxiety is felt that there should be no delay in this business as the training of the officers of this regiment, will be held on the 10th inst. It is also respectfully suggested to the Executive that in the event of a court martial being ordered great convenience will arise from it at some place in this county. As the evidence will of necessity be voluminous, and it will be both expensive and troublesome to carry the numerous witnesses who may be required to a remote distance from their residence.

I am your obedient servant
Colin Campbell

P.S. It is requested that the answer to this may be directed to me in Dumfries. C.C.

22 September 1808

Governors Executive Papers – William Cabell

Accession #41135, Box 7, Folder 10

Letter from David Boyle

Prince William County to wit:

This day personally appeared before me a justice of the peace for said county Major John M. Muschett of the 36th Regiment, Virginia Militia and made oath that he verily believes from his acquaintance with Col. Enoch Renno since he succeeded to the command of the said regiment that he the said Renno has discovered a total incapacity to discharge the duties attendant thereon, and that before a military tribunal the same could be satisfactorily proved.

Given under my hand this 22nd day of Sept. 1808
David Boyle

March 19, 1808

Governors Executive Papers – William Cabell

Accession #41135, Box 8, Folder 1

Letter from Hancock Eustace with Bristoe Rents

To The Governor of Virginia, Richmond

Sir, Your letter of the 9th just received and now before me, and in reply I have to inform you that my silence here to you has proceeded, first from a daily expectation of receiving further advice of counsel in my agency as it respected the representatives of my predecessor, and secondly from the very reduced price of tobacco at the time and ever since I completed my collection of the rents due from the tenants on the Bristoe Tract of Land for the year 1806. I wrote you last spring that the representatives of my predecessor refused to go into a settlement in the way proposed in my instructions from the Executive & solicited further instructions, to this communication. I have as yet received no answer and am therefore intently at a loss what steps to pursue in this part of my business. If my predecessor is answerable for all the rents which became due during his agency I have thought it unnecessary for me to attempt a settlement with the tenants or to ascertain what might be due from them to him. The tobacco I have collected is now in my possession, subject to the disposal or order of the Executive permits me to assure you Sir & though you the Council of State, that every exertion has been made by me, not only to collect the rents as they have become due, but to sell the tobacco now in my possession. Below you have a list of the tenants, names and the amount of rent due from each and requested.

James Kemp	1000 lbs. crop tobacco	William Gray	1000 lbs. crop tobacco
James Purcell	1000 lbs. crop tobacco	Samuel Purcell	1000 lbs. crop tobacco
Jesse Barron	1000 lbs. crop tobacco	Anderson & Hall	500 lbs. crop tobacco
Phillip Spiller	500 lbs. crop tobacco	George Fegan	500 lbs. crop tobacco
Moor Hoof	250 lbs. crop tobacco	Jesse Ewel	1000 lbs. crop tobacco
Alexander Compton	1250 lbs. crop tobacco	Charles Ewel	1000 lbs. crop tobacco
Stephen King	1000 lbs. crop tobacco	John Linton	1000 lbs. crop tobacco
Francis Taylor	500 lbs. crop tobacco	Wm. Farrow	500 lbs. crop tobacco

John Jackson	1200 lbs. crop tobacco
Roadham King	1000 lbs. crop tobacco
David Reno	1333 lbs. crop tobacco
Hezekiah Dunnington	500 lbs. crop tobacco

John Sutton	1167 lbs. crop tobacco
John Maddox	5500 lbs. crop tobacco
Larkin Murphy	500 lbs. crop tobacco
Wm. Hambleton	1000 lbs. crop tobacco

4000
9533
12667
26,200 ttl

I am Sir with the utmost
Respect your obt. Servt.
Hancock Eustace