

Dumfries, Va., 17 March 1792

Box 3, film page 0306, accession #40611

Governors Executive Papers – Lee

Commonwealth vs Benjamin Coot a Negro

At a Court called and held at the court house of Prince William County the 17th day of March 1792. Present, George Graham, Matthew Harrison gentleman, Alexander Lithgow, Thomas Lee Sen., John Macrae and Charles Ewell – Justices.

Benjamin Coot a negro man Slave the property of John Lawson gentleman, who was convicted of Felony and Burglary and condemned to die at a Court of Oyer and Terminer called and held at the Court House of the said county on the third day of February 1791 but escaped from Goal before execution could be done – upon him in pursuance of his said sentence was arraigned at the bar and thereupon the record of the proceedings formerly had against him being read it was demanded of him if he had or could say anything for himself why execution should not be done upon him in pursuance of his former sentence, he saith that he is the same Benjamin Coot in the said record mentioned, thereupon he is remanded to goal, And it is ordered that Execution of his former sentence be done upon him on Thursday the 26th day of April next between ten in the forenoon & two in the afternoon.

Absent – George Graham, gentleman

Then the court being informed of and having examined evidence as to the behavior of the aforesaid – Benjamin Coot since his escape from goal now upwards of twelve months, which appearing to be unexceptionable do order that the clerk transmit a copy of this record to the Executive with their prayer & recommendation of him to mercy. The business of the court being over the same is dissolved.

Signed, M. Harrison

A True copy Teste, Robert Graham, Cl. Court

Dumfries, Va., 24 March 1792

Box 10 oversized, accession #40611

Governors Executive Papers – Lee

Commonwealth vs Benjamin Coot a Negro

Dear Sir,

This will be handed you accompanied by the records of the Court of Prince William in the case of a Slave of mine who has been condemned to death by a sentence which I believe was rather occasioned by the severity of the law than the enormity of the offence. However he eluded the execution of his original sentence by making his escape from Gaol upwards of twelve months ago & being lately brought back the court were obliged to enforce the same by appointing a new day of execution but at the same time from the most ample testimony of the fellows good behavior during his absence (at Baltimore) & concerning the end of the law to have been fully answered by such proofs of reformation, the court have been induced to direct the record to be by their clerk transmitted to the Honorable the Executive with their prayer and recommendation of him to mercy.

As I am extremely anxious for the preservation of the fellow. I have taken the liberty of forwarding the papers immediately, and I flatter myself your humanity will induce you to have the matter decided as soon as possible.

I have the honor to be with great respect.

Dear Sir

Your most obedient servant

J. Lawson

Dumfries, Va., 21 May 1792

Box 3, Folder 3 accession #40611

Governors Executive Papers – Lee

Commonwealth vs Hugh Dowdall

Virginia to wit: At a District Court held at Dumfries the 21st day of May 1792, Hugh Dowdall late of the Parish of Dettinger and County of Prince William labourer who stands convicted of felony was again led to the bar in custody of the keeper of the Publick Jail and thereupon the opinion of the general court being read to him in these words “Virginia to wit, at a general court held at Richmond, November 19th 1791.

The Commonwealth against Hugh Dowdall late of the Parish of Dettigen in the County of Prince William laborer, defendant, upon an adjournment from the District Court held at Dumfries.

This day came as well the attorney general as the counsel on behalf of the Defendant, who being fully heard and the transcript of the record being read and impressed. It is the opinion of the court that the judgment against the defendant is good and sufficient in law and that the plea of the said defendant in ___ of the jury's verdict ought to be overruled which is ordered to be certified to the said District Court and it being remanded of him of anything, for himself he had or knew to say why the court here to judgment and execution against him of and upon the premises should not now proceed he said he had nothing but what he had before said. Therefore it is considered by the court that he be hanged by the neck until he be dead and that execution of this judgment be made and done upon him the said Hugh Dowdall by the sheriff of Prince William County on Friday the twenty ninth day of June next between the hours of ten in the forenoon and two in the afternoon of the same day at the usual place of execution.

Teste, G. Brooke C.D.C.

Dumfries, Va., 23 May 1792
Box 10 oversized, accession #40611
Governors Executive Papers – Lee

Dear Sir,

I have just seen & have signed a petition to your Excellency in behalf of the unfortunate Hugh Dowdle now under sentence of death for passing base coin. As he was committed by my warrant I beg leave to inform you that upon his examination I was reduced to doubtfulness with respect to the propriety of committing him if I could have had full confidence in the testimony of a certain Fitzsimons I should have discharged him – but that being suspicious & the presumption against Dowdle I thought he had better undergo the _eruting of a further investigation tho he might be innocent – than to be acquitted with impunity if guilty (of knowing it to be bare) – I did not attend his trial but have since heard one of his venire say that if it had not been for the reexamination of Fitzsimons before them he would have been acquitted & when he gave his voice on the presumption of his guilt he did not think it would take his life. It is said Fitzsimons was then entrusted with Dowdle's goods (who was a pedlar) & that he has since actually run off with all his effects.

But if the unhappy criminal has been actually guilty. Has he not suffered more than adequate to the defence? To insure for several mor---- the ignoring & perturbation of mind consequent of his condemnation – to be sold of his all by the perfidy of his friend – and to be chained almost in one position to a cold floor during the extremity of the last winter – must exceed the torture of a thousand deaths. If in these circumstances life & liberty are desirable I hope he will find mercy at this extremity.

Your most obedient & humble servant.

Jas Ewell

Dumfries, Va., 23 May 1792
Box 10 oversized, accession #40611
Governors Executive Papers – Lee

Dear Sir,

The enclosed was left with me to be forwarded to you; & the petition mentioned therein, has I expect, been handed to you. As I was present at the trial of the unhappy person named therein whose sentence of death is to be executed on the 29th of June next. I beg leave to mention that the presumption of his guilt arose chiefly from a contradiction in the testimony of Fitzsimmons his pretended friend & partner in trade.

But admitting the prisoner's guilt, that the punishment inflicted by law has not been executed on him, yet his sufferings have far exceeded the nature of his offence & should he find mercy he may yet become a useful member of society.

Your most obedient humble servant

Bertrand Ewell Jun.

Spence Grayson
George Murren
Thomas Chapman Jun.
William Smith
Alexander Howison

Bernard Gallegher
William Wyatt
James McDonald
John Sowder
John Prince

John Cannon
Thos. Oliver
Gui_ Hedges
Joseph Botts
Thomas Chapman

Richmond, Va., 11 June 1792
Box 10 oversized, accession #40611
Governors Executive Papers – Lee

Dear Sir,

Upon reflection and examining the order of the General Court I find I was mistaken in the case of Dowdle: He was before M. Mercer and myself at the first district court at Dumfries. He was not convicted of the offence of coining base money but acquitted by the jury although the court were clearly of opinion he was guilty.

He was again found guilty of a crime of the same nature at the District Court of Dumfries at the term before the last. I can give no account of the evidence that appeared against him then as I was not there and had only to pass sentence against him the last term.

I have the honor to be with great regard Sir, Your able servant.
Richard Parker

Dumfries, Va., 12 November 1792
Box 4, Accession #40611
Governors Executive Papers – Lee
Elector to vote for President

We Charles Peyton deputy sheriff of Prince William County, William Philips sheriff of Stafford County & Joseph Thomas deputy sheriff of Fairfax County composing one entire district entitled by law to appoint an Elector to vote for a President & Vice President of the United States, do hereby certify and make known, that at an Election held on the first Monday in November, at the Court Houses of our respective counties, pursuant to law, the voters qualified to vote for an elector to chose a President & Vice President of the United States caused to be chosen one person to wit: Daniel C. Brent to represent the said district, as an Elector to vote for a President & Vice President of the United States. Given under our hands and seals this 12th day of November 1792

Chandler Peyton (Seal)
William Philips (Seal)
Joseph Thomas (Seal)

Dumfries, Va., 04 December 1792
Box 3, micro page 0070
Virginia Governors Executive Papers - Lee

A Court Continued and held for Prince William County the 4th day of December 1792. On the motion of Bernard Hooe, sheriff of the county aforesaid to have the keys of the District Goal delivered to him by the Goaler of the District who holds his commission from the Governor and Council. The Goal for the District being also the county goal and it being enacted by the last assembly that in such case the Goaler of the County shall be the Goaler of the District. The Court determined that they had no power to act in such case.

Teste,
Robert Graham Cl. Court

Dumfries, Va., 10 December 1792
Box 3, Folder 1, accession #40611
Virginia Governors Executive Papers – Lee
District Jailor at Dumfries

Dear Sir,

Mr. Bernard Hoe the High Sheriff of this County concerning under a law of the last assembly, that as High Sheriff of the County, he is also Goaler of the District Goal and may be made answerable for the conduct of the District Goaler now acting as such who might be considered as his deputy and not wishing to run any risqué of being responsible for any but one of his own appointment demanded of the Goaler the keys of the Goal. They were refused and Mr. Hoe applied to the County Court to order them to be delivered to him. The Court determined that they had no powers to interfere. Mr. Hoe wishing to act up to his duty and at the same time with strict property has sent one of his deputies to Richmond hoping that as the Goaler now in possession of the keys was appointed by the governor & council under a law of the Legislature establishing District Courts which appears to have been repealed by an act

of the last assembly they will take some order therein either by withdrawing their commission or referring the affair to the Legislature for their explanation. I have at the request of Mr. Hoe states the transaction to you and by a reference to the laws on this subject you will see the confusion it is in and be the better judge of the necessity of attending to it. I am, dear Sir, with great esteem your very obedient humble servant.

Thomas Lee Sr.

Dumfries, Va., 9 April 1793

Box 4, Folder #6

Virginia Governors Executive Papers – Lee

Prince William County, Dumfries 9th April, 1793 – We whose names are hereunto subscribed do hereby certify that the bearer Christian bower hath been an inhabitant of this town for many years and hath conducted himself with sobriety and industry and we do believe him to be a very honest man.

John Scott, clerk

William Carr

Richard Graham

Dumfries, Va., 14 May 1793

Box 4, Folder #6

Virginia Governors Executive Papers - Lee

District Court case of Philip Frye

At a District Court held at Dumfries the 14th day of May 1793. Philip Frye late of the Parish of Fairfax and County of Fairfax, laborer, who stands indicted of a misdemeanor, was led to the bar in custody of the keeper of the Public Goal and thereupon arraigned and pleaded not guilty to the Indictment and for his trial put himself upon God and the Country & thereupon came a jury to wit: George Chapman, John Hunter, Philip Dorrell, John Rickett, John Simpson, Thomas Sangster, Aaron Simpson, Joseph Simpson, Richard Ratcliff, Francis Copper, Jesse Moore, and William Simpson who being elected tried and sworn the truth of and upon the premises to speak and having heard the evidence upon their oath do say that the said Philip Frye is guilty of the misdemeanor aforesaid in manner and form as in the Indictment against him is alleged, and the said Philip Frye prays that judgment on the verdict aforesaid may be arrested and prayed for the following reasons 1st because it is not stated in the Indictment that the said Philip Frye did feloniously take and receive the goods therein mentioned 2nd because the jury ought to have assessed the fine which they have not done. 3rd because it is not stated in the Indictment that the principal felons or either of them, who are stated to have stolen the goods in the Indictment has been convicted thereof. 4th because the said Indictment is informed and insufficient but because the court here are not advised of their opinion on the matter of law arising on the errors in arrest of Judgment this day filed they do adjourn the same to the next General Court to be held in the City of Richmond on airscent? of the mov---- & difficulty of the case and it is ordered that the said Philip Frye may enter into a recognizance in this Court or before any two justices of the County of Prince William himself in the sum of fifty pounds and two securities in the sum of twenty five pounds each to be void on condition that the said Philip Frye do appear here on the first day of the next court and receive the Judgment of the said Court and he is remanded to Jail until he shall give such security

G. Brooke, D.D.C.

Dumfries, Va., 14 May 1793

Box 4, Folder #6

Virginia Governors Executive Papers - Lee

District Court case of George Gordon

At a District Court held at Dumfries the 14th day of May 1793. George Gordon late of the Parish of Fairfax and County of Fairfax, laborer, who stands indicted of a misdemeanor, was led to the bar in custody of the keeper of the Public Goal and thereupon arraigned and pleaded not guilty to the Indictment and for his trial put himself upon God and the Country & thereupon came a jury to wit: George Chapman, John Hunter, Philip Dorrell, John Rickett, Joseph Simpson, Thomas Sangster, Richard Ratcliffe, Jesse Moore, Francis Montgomerie, William Davis, Aaron Simpson & John Jackson who being elected tried and sworn the truth of and upon the premises to speak and having heard the evidence upon their oath do say that the said George Gordon is guilty of the misdemeanor aforesaid in manner and form as in the Indictment against him is alleged, Therefore it is considered by the Court that the said

George Gordon be remanded to Goal until he shall enter into a recognizance either in this Court or before any two justices of the County of Prince William himself in the sum of fifty pounds and two securities in the sum of twenty five pounds each to be void on condition that the said George Gordon be of good behavior for twelve months from this day.

G. Brooke, D.D.C.

Prince William, Va., January 24th 1794
Governors Executive Papers - Lee
Edward Carter letter
Box 6, Folder 3
To His Excellency Governor Lee, Richmond

Dear Sir,

I again take the liberty of expressing to you my favorable sentiments of another gentlemen Mr. E. Brooke, who is about to apply to the council for the collection of the arrearages under the late law. His deportment ever since his residence here has been such as to entitle him to the approbation of all who know him. I am safe in declaring him a man of great integrity in private life, and one of qualified by education and professional experience to discharge the functions of the office with ability to success. I will cheerfully engage to enter myself as one of his pledges for the full discharge of the duties annexed to the appointment.

With great respect I am
Dear Sir your obedient servant
Edward Carter

Make my love to your Lady E.C.

Dumfries, Va., January 24th 1794
Governors Executive Papers - Lee
Thomas Blackburn letter
Box 6, Folder 3
To His Excellency Governor Lee, Richmond

Sir,

The bearer Mr. Edmund Brooke proposes to offer himself as a candidate for the collection of the Brigade District, under the late regulation of our legislature. Mr. Brooke tells me he has not the Honor to be personally acquainted with you – did you know him a recommendation would be quite unnecessary because you would be sensible that his character and attributes fully entitle him to the post he solicits. I have the pleasure to be well acquainted with Mr. Brooke & can assure you with the greatest truth that he is a gentleman of the best character of good connections & that I think no man has better attributes for the business he solicits.

I am with the greatest esteem & regards Dear Sir
Your most obedient servant
T. Blackburn

Park Gate, January 24th 1794
Governors Executive Papers - Lee
Thomas Lee - Letter
Box 6, Folder 8
To His Excellency Henry Lee Esq. Governor of Virginia, Richmond

Sir,

My neighbour Mr. Henry Dade Hoe tells me he purposes making known to the Honorable the executive his willingness to act as Commissioner in the District under the late Law for settling with the Delinquent Sheriffs.

I dare say, from the knowledge you have yourself of Mr. Hoe & his family, it would be unnecessary for me to say anything to you about him, but as he seems to wish it. I can, from my acquaintance with him say he is a man attentive to business, well acquainted with figures, has never been any way connected with the delinquent sheriffs of the district as their security or otherwise and is independent in his circumstances. Should he meet with the approbation of the Executive he will be able to give the most unquestionable security for the execution of the trust

and I am persuaded will give the greatest satisfaction from his activity & attention to the business. I have the honor to be with the great esteem Dear Sir, Your most obedient servant.

Thomas Lee Sr.

Dumfries, Va., January 25th 1794

Henry D. Hooe letter

Box 6, Folder 3

Governors Executive Papers – Henry Lee

Dear Sir,

I beg leave to make known to you my wish to be appointed to act as commissioner in the District of Prince William under the late law for settling with the Delinquent Sheriffs and if from our small acquaintance you should consider me a person with whom such a trust can be placed. I shall be thankful for the appointment and always acknowledge the favor all that I shall say for myself is that nothing in my power shall be wanting to promote the public good by a faithful discharge of my duty with every sentiment of esteem and respect. I have the Honor to be your Excellency's most obedient servant.

Henry D. Hooe
25th Jan. 1794

Prince William County, January 25th 1794

Matthew Whiting Letter

Box 6, Folder 3

Governors Executive Papers – Henry Lee

Dear Sir,

I take the liberty of introducing to you, Mr. Edmund Brooke, who is about to make application for the appointment of Collector of the Arrearages of Taxes for the Brigade District of Wht.

I am a member from a long and intimate acquaintance with this gentleman. I can with great safety recommend him as a person well qualified by his integrity and professional knowledge for the execution of the office and should it be necessary will become one of his securities for the discharge of his duty. I have the pleasure to be with great respect.

Sir, your most obedient servant
Matthew Whiting

Fredericksburg Va., January 26th 1794

Box 6, Folder 3

Governors Executive Papers – Henry Lee

Dear Sir,

I beg leave to introduce to your acquaintance my friend Mr. Edmund Brooke who is a candidate for the agency for the District including the County of Prince William he is a young gentleman who has been for several years in the Practice of Law and whose general knowledge of business must under most competent to execute in every instance all the duties of that office and from my knowledge of the propriety of his department in private life. I feel the most perfect confidence that his conduct will always justify any confidence which may be placed in him. Should he be fortunate enough to caperience(?) your approbation it will I know not only be flattering but especially serviceable to him on this occasion, and be assured that any mark of your countenance of him will be most gratefully acknowledged by one who is with the most perfect respect your most obedient servant.

(Signature not legible - looks like R. -rookey?)
Fredericksburg, Va. Jan. 26th 1794

Mannsfield, January 27th 1794

Mann Page Letter

Box 6, Folder 3

Governors Executive Papers – Henry Lee

My Dear Sir,

The Bearer, Mr. Edmund Brooke is desirous of being appointed an agent to collect the arrears of taxes in Prince William County. I am well acquainted with him & can venture to recommend him as well qualified to fill the position on account of his integrity and activity.

I am Dear Sir,
Your most obedient servant
Mann Page

Park Gate, January 28th 1794
Governors Executive Papers - Lee
Thomas Lee - Letter
Box 6, Folder 8

To His Excellency Henry Lee Esq. Governor of Virginia, Richmond
Sir,

Col. Simms of Alexandria lately shewed me a memorial addressed to the Executive, that he has drawn up and had signed by several of the tenants on the land of the Commonwealth which I have been appointed to sell. I was summoned by one of the tenants on behalf of himself and the rest to attend the taking of depositions to support the claim set forth in the memorial; not conceiving it anyway connected with my duty I did not attend, but the day after the time appointed I rode over to see some of the tenants about their Replevy Bonds and found Col. Simms still engaged in taking depositions. From the information I have received admitting any of the memorialist to be possessed of a right to the claim they set up I am sure some of the signers to the memorial have not the least shadow of a title. From the cursory reading of the memorial and depositions, shewn me, there are facts stated which I am warranted to say are erroneous, and if the Executive think of acting on the memorial I hope they will let me have an opportunity of seeing both memorial depositions & collecting such information as will put the business in a fair point of view. For my own part I cannot but think if the tenants have any right to leases that a Court of Law is the proper place for them to seek redress if they are injured. The Commonwealth by selling their right and title to the land cannot in any degree weakens or lessens the tenants claim to leases. It was in a court of law that a number had their right to lease confirmed to them when the Commonwealth last ordered the land to be sold and some of the present signers to the memorial then tried and failed in proving before a jury any title to a lease and had their claims dismissed.

I have advertised the land to be sold the first Monday in May, I postponed it to that late period because at that time the land in this part of the Country has its best appearance and will be most likely to command a price equal to what I conceive its real value. The tenants have not yet taken their tobacco down, they promise to make payments so soon as they do which with what little I now have by me shall be forwarded to the treasury. I hope by March Court to have the accounts against the estates of Messrs. Bullitt, Carr & Chapman in readiness to move against them. I have the honor to be Dear Sir, with great esteem Your very obedient humble servant.

Thomas Lee Sr.

February 8th 1794
Governors Executive Papers - Lee
Ewell vs Commonwealth
Box 6, Folder 7

To the Honorable George Wythe, Judge of the High Court of Chancery

Humbly complaining your orators Charles Ewell, Alexander Compton, John Jackson, David Renoe, William Feagans, Bond Neale Brown, Jeremiah Ballenger, Alexander Ross, William Milstead, Dudley Petty, Ezekiah Dunnington, Joseph Ballenger, Gustavous Scott, John Peyton Horton, Wm. Clinkscales, Margaret Foster, Catherine Davis & Benjamin Posey, tenants on the Bristow's tract of land in Prince William County, Sheweth unto your Honor, that Robert Bristow late of Great Britain in or about the year 1745 being possessed of a tract of unleased land in the County of Prince William containing about seven thousand acres was desirous to settle tenants on said tract, and accordingly by his agent Colonel Henry Willis caused advertisements to be distributed and set up in different parts of the country inviting people to settle on said land which had been previously laid off into lots, containing from one hundred to one hundred fifty acres each according to the quality of the land. And promising all those who should settle on his lands leases for three lives or ninety nine years for the lots they should respectively settle on at the rent of five hundred and thirty pounds of Transfer Tobacco a lot, which advertisements were continued to be distributed and set up by Colonel Richard Blackburn who succeeded the aforesaid Colonel Henry Willis as agent for the said Robert Bristow and was never contradicted or countermanded by any of the subsequent agents of the said Bristow, but on the contrary was acknowledged by them to be valid and binding on said Bristow,

and continued to encourage tenants to settle on said land on the terms mentioned in said advertisements until all the lots were settled and improved. That your orators have separately purchased from the first settlers on said lots or those claiming under them for valuable consideration, the lots on said tract which they are now respectively possessed, and were ind---- and encouraged to make such purchases from the repeated declarations and assurances of the agents of Bristow before the said land was confiscated and of the commissioners of the Commonwealth since the confiscation that the rights of those from whom they purchased were good. That the said Tract of land was confiscated until year 1779, but has remained unsold, and your orators have continued to hold & possess their respective lots paying to the Commonwealth the rent of five hundred and thirty pounds of transfer tobacco, and always expected peaceably and quietly to hold & enjoy their respective lots, according to the terms set forth on the before mentioned advertisements undisturbed by the Commonwealth or the agents of the Commonwealth; more especially as the right of some of the Tenants who put in their claims to the general court, on the return of the inquisition against the said Robert Bristow to the said Court were conf--- by said court which rights were in all respects similar to the rights claimed by your orators. All which foregoing facts are fully proved by the affidavits hereto annexed. But now so it is may it please your honor that by an act passed at last session of assembly, the Governor and Council were directed to appoint a commissioner to make sale of the said tract of land, and they have accordingly appointed Thomas Lee of Prince William County a Commissioner for that purpose, who has advertised a sale of said land to be made on the first Monday in May next and unless the just and equitable claims of your orators to leases for their respective lots on the terms & for the time specified with aforesaid advertisements are established previous to the sale they will necessarily be exposed to tedious & expensive law suits with the purchasers of said lands. The tender consideration whereof and for as much as your orators are remedy less by the strict rules of common law, and are only relievable in this Honorable Court which has power to hear & determine the equitable claims of Citizens to confiscated property. May it please your honor to grant an injunction, ___ directed to the attorney for the Commonwealth & the aforesaid Thomas Lee to stay the sale of the lots of which your orators are respectively possessed until their claims can be heard & determined and finally to make such decree or order therein as to your honor shall seem just &c let injunction issue to stay the sale, the plaintiffs giving security in the penalty of twenty pounds, commissions are awarded to take the examinations of witnesses – 8th of February 1794.

G. Wythe

A Copy – Teste Peter Tinsley C.H.C.C.

March 10th 1794

Governors Executive Papers – Henry Lee

Box 6, Folder 7

Bristow Estate – Letter

To his Excellency the Governor of the Commonwealth of Virginia, the memorial of Robert Bristow of Great Britain, an infant under the age of twenty one years by Richard Marshall Scott of Dumfries in the County of Prince William, attorney infact for Mary Bristow, John Ashell Bucknall and Richard Phillipson guardians of his person and estates most respectfully sheweth.

That your memorialist Robert Bristow was in the year 1779 and before that year seized and possessed of sundry tracts of land and a considerable number of slaves within the Commonwealth of Virginia concerning which proceedings in the nature of escheat and forfeiture were commenced and had, whereby as it has been supposed by some but which your memorialist cannot admit, the said tracts of land and slaves, became vested in the commonwealth, one of the said tracts of land situated in the county of Prince William, and containing between seven and eight thousand acres, and of good quality was not sold during the war but hath remained ever since the year 1779 under the management of the Commonwealth who or its agents hath received the rents and profits thereof, and a commissioner authorized and appointed in pursuance of an act of the last General Assembly of Virginia for selling the same, hath advertised the sale thereof to be on the first Monday in May next. A certain Charles Ewell and others severally claiming rights to leases for a long term of years, have obtained an injunction restraining the sale of those parcels of the said tract of land to which their claims extend till the further order of the court a copy of which bill and of the order of the court is herewith sent and thereunto your memorialist prays leave to refer – These claims apply to a large proportion of the land and the residue cannot be now sold so advantageously as they would be sold if the whole tract was sold in parcels at the same time, in consequence of the dispersed situation throughout the whole tract in which the lots are that are not subject to the aforesaid injunction. The justice of the aforesaid claims your memorialist doth not admit, and therefore expects will be satisfactorily proved to the court. Further your memorialist prays leave to state that many of the tenants on the said tract who had rights to leases for years or lives,

have by various acts of waste and destruction and otherwise forfeited their rights to the same, under these circumstances it is not reasonable to expect that the said lands will be sold for anything equal to their real value in the month of May next before which time the merits of the said injunction cannot be tried and decided nor call the tenants who have forfeited their rights be dispossessed. Your memorialist takes this opportunity to declare that under the treaty of peace with Great Britain and under the imperfect proceedings of escheat touching the said tract of land, he hath a right to hold and enjoy the same as his absolute property. And whether sold or not he shall take all lawful measures for recovering the same having been advised by very able counsel, a copy of whose advise was on a former occasion shown to your Excellency, that he hath a sure and good title to the said tract of land or that at all events he is entitled to the monies that shall be produced upon the sale of the same. On this account he hath been induced to make the present application and he prays that the same may be considered and deeded. And that the proposed sale in May next may be suspended till the merits of the said injunction bill shall be heard and decided in court, and till the tenants who have forfeited their rights shall be dispossessed. And as in duty bound &c.

Richard Marshall Scott
Richmond 10th March 1794

Park Gate, March 24th 1794
Governors Executive Papers - Lee
Thomas Lee - Letter
Box 6, Folder 8

To His Excellency Henry Lee Esq. Governor of Virginia, Richmond
Sir,

The letter you wrote me on the 18th ulto has been duly received. A day or two before a writ had been served on me to stay the sale of a considerable proportion of the Bristoe Land. This induced me to postpone the sale of the whole until the determination of the suit, thinking it most advantageous for the Commonwealth. I have attended several days since, to the taking of depositions by the Tennant's Attorney. I have now to request a blank dedimus and subpoena may be shortly sent up to me for the purpose of taking some depositions on behalf of the Commonwealth. So soon as these are taken I shall do myself the honor of transmitting you as full a statement of the business as I am capable of, for the information of the Attorney General, 7 should it be thought necessary for me to attend for further information to him on the day of tryal I will do it. Several of the tenants inform me they have money to discharge their replevy bonds, but as their rents are in tobacco I have not thought myself authorized to receive anything else, it would facilitate the collection much if I was authorized to receive cash in lieu of the tobacco at the current market price. I have the honor to be Sir, very respectfully your very obedient servant.

Thomas Lee Sr.