

Prince William County Clerk's Loose Papers

Complaint as to the May election 1879 - Filed May 31st 1879

To the Honorable John C. Weedon, Judge of the County Court of Prince William

We, the undersigned, qualified voters of the County of Prince William do hereby humbly complain that the election had and held in the said County of Prince William on the 4th Thursday in May 1879, to fill the Office of Commissioner of Revenue in District No.2 of the said County, and other County & District Offices of said County, was both an undue election and the returns thereof false, so far as the Office of Commissioner of the Revenue in said District No. 2 of said County is concerned, for the following reasons, Viz. –

1st The voting precinct in said County known as Horton's Store, where the polls were opened at the said election on the 4th Thursday in May 1879, was only established on the 5th day of May 1879.

2nd Because the boundaries of the said voting precinct or district of Horton's Store were not laid off and designated according to law.

3rd Because there had been no registration of the voters in said election precinct or district of Horton's Store, previous to the said election on the 4th Thursday in May 1879.

4th Because at the voting precinct in said county known as Hickory Grove, there were only two judges of election, whilst the law requires there should have been three, on the said day of election.

5th Because at the voting precinct in said county, known as Dumfries, the polls were not opened on the said day of election, until between 7 and 8 o'clock A.M.

6th Because the judges of election at said voting precinct of Dumfries were absent from the discharge of their duties, a considerable length of time in the course of the day of election after the said poll were opened, when by law they were required to be present.

7th Because two of the judges of election at the said voting precinct of Dumfries, left the discharge of their duties and actively engaged at different times in electioneering for the various candidates voted for at the said election, and at a considerable distance from the polls.

8th Because at different times in the course of the said day of election at the said voting precinct of Dumfries, all the judges were absent, and one clerk of election discharged the duties of judges and clerks of election.

9th Because the returns from the said voting precinct of Dumfries were not returned in the manner prescribed by law.

10th Because persons not registered at the voting precinct in said county known as Potomac were permitted to vote at said precinct of Potomac.

11th Because a man was allowed to vote at said precinct of Potomac, who is a resident of the State of Maryland

12th because at the voting precinct in said county known as Brentsville a person disqualified by the Constitutional Amendments to the constitution of Virginia was allowed to vote, the judges of election having a record of his disqualification before them, at the time.

13th Because there are many more inaccuracies, uncertainties, irregularities and illegalities in many of the returns from the various voting precincts of the said county of Prince William.

14th Because the judges of election for the various voting precincts of said county of Prince William were not appointed at the time required by law, by the county court of said county, in the year 1879.

15th Because at most, if not all the voting precincts in said county of Prince William persons were permitted to vote, who were disqualified by the Constitutional Amendments to the Constitution of Virginia, making the pre-payment of the capitation tax a condition precedent to the exercise of the elective franchise.

Your complainants represent that if the returns can be purged of the illegal votes therein contained, and the voting precincts where no legal election was held were not recognized in determining the result of said election, it would appear that James M. Barbee, to whom has been awarded the certificate of election as Commissioner of the Revenue in District No.2 of said County by the Board of Commissioners of election of said County of Prince William, was not elected, but that one Montraville Cornwell was duly elected to said Office of Commissioner of the Revenue in District No. 2 of Prince William County. Your complainants however pray that if it cannot be ascertained who is elected to and entitled to said Office of Commissioner of the Revenue in District No. 2 of Prince William County, that the election for said office may be remanded back to the people in whom all sovereignty resides.

May 28th 1879

C. Milstead	Thomas Posey	James W. Fairfax
Wilson Davis	Henry B. Fairfax	Martin Davis
Silas E. Ashford	Oliver L. Davis	H. E. Carter
Jas R. Pearson	H. A. Duvall	David C. Tyrell
William H. Arrington	F. C. Arrington	Wesley B. Marshall
John H. Taylor	John Posey	Jas L. Cole
James E. Brawner	Wm. Calvert	R. R. Reeves
J. W. Florence	J. L. Keys	T. I. Simpson
R. ___ Arnold	John H. Lynn	W. W. Chappell
Daniel Bryant	C. L. Davis	John H. King
M. M. Russell	James M. Arnold	Bernard Arnold
Matthew Priest	James Posey	E. Carrico
Robert Fair	M. Florence	James H. Garner
Jacob Payne	Nuton Woodyard	M. V. Rector
Bernard Bryant	Payton Calvert	Henry Bryant
S. T. Gheen	J. H. Wheaton	H. F. Mitchell

State of Virginia

County of Prince William to Wit:

We, the undersigned, whose names are signed to the forgoing complaint, do hereby swear that the facts set forth in said complaint are true, to the best of our knowledge and belief. Witness our signatures on this the 29th day of May 1879.

James E. Brawner
Wm. Calvert

State of Virginia

County of Prince William County to wit:

J. E. Brawner and Wm. W. Calvert, personally appeared before me George M. Ratcliffe a Justice of the Peace for the said county, whose names are signed to the above complaint and affidavit, and made oath that the facts set out in said complaint are true to the best of their knowledge and belief, and subscribed the said affidavit in my presence.

Given under my hand this the 29th day of May 1879

Geo. M. Ratcliffe, J.P.