# Occoquan, Va., August 10<sup>th</sup> 1837 Box 1, Folder 11Accession#43151 Virginia Governors Executive Papers – David Campbell

To Governor Allen (copied verbatim including the name of the governor)

Honored Sir,

You I have no doubt will be sum what surprised to receive a few lines from an individual whom can claim neither private nor personal acquaintance with you having a request to make of your honour Viz it amounts nearly to this thair is a certain piece of land in Prince William called and by the name of the free tract said land has been thus called and nown for a number of years if I was to say 60 to 80 I should not depart from truth. It was once a heavy piece of timber land having bean pilfred by different individuals for a number of years and possessioned by no person except by a free negro and A. Mr. Gaten Arrington of this County as also a poor woman by the name of Elizabeth Whalen at whos I instance and request I sed you this small epistle.

Thair is sum persons in this county whom has reacently removed to it from the lower part of it by the name of Wm. S. Barbee and A. Chanciler the former having taken the benefit of the act and the latter a respectibe man wishes this poor individual turned of of the pace whom by dint of aconaing and industry has raised 7 porly children I appeal to your govenar as an honoured man I apeal to as just man under the presiding circumstances wheather or no she is to be turned of the insuing year requesting it as a favour for you to drop a few lines addressed to myself at this place having once bean owned by a Mistress Kee, Otis husband of said Mrs Kee among other emigates to this cuntry has had not taken the oath of allegiance as far back as the revilutoonally war of which Washington the intoomed commanded hoping you will comply with this my small reques when time and leasure will admit and say wheather or those individuals whom has paid the tackses to support governent and in quiot posseon for 28 or 30 yeas shall be thus molested.

Respectfully Your Obt. Ser. And Friend

Thos. B. Barnes

(Note, the above was copied verbatim including the name of the governor)

The answer on back of letter – "Inform Mr. Barnes that his letter has been received and that the Executive has no authority whatever to act upon the subject which he has brought to its notice.

W. H. M.

## Richmond, Va. December 1837 Accession#43151

## Virginia Governors Executive Papers – David Campbell

Abstracts of statements from the clerks of the County Courts, shewing the number of marriage licenses granted by them in the years 1817, 1827, and 1837, and the number of the persons obtaining them who could not write their names.

Counties below the head	-	could not	-	s could not	-	s could not
of tide water	1817	write	1827	write	1837	write
Accomack	68	24	103	37	71	19
Brunswick	43	03	30	05	32	06
Caroline	51	12	69	NG	47	14
Charles City	15	06	26	06	13	03
Chesterfield	61	08	60	18	85	25
Dinwiddie	49	14	38	09	18	03
Elizabeth City	18	04	39	14	31	14
Essex	30	08	48	11	27	09
Gloucester	NG	NG	54	16	35	16
Greenville	20	07	17	03	20	04
Isle of Wight	40	16	64	28	43	15
James City&Williamsbur	g12	00	12	02	07	00

King & Queen	NG	NG	NG	NG	37	07
	35	08	22	08	17	07
King George						
King William	41	15	28	05	29	08
Lancaster	34	06	22	05	25	06
Matthews	22	09	32	07	37	09
Middlesex	09	04	19	00	10	02
Nansemond	50	15	46	21	50	22
Northumberland	44	25	43	23	42	21
Nottoway	24	01	26	01	NG	NG
New Kent	09	02	21	01	21	06
Princess Anne	44	18	53	12	67	27
Prince George	29	05	26	07	24	08
Prince William	51	18	38	13	30	10
Richmond	21	08	12	03	22	08
Southampton	77	21	84	31	42	14
Spottsylvania	79	03	30	04	39	05
Stafford	19	04	39	13	31	14
Surry	28	05	32	15	28	12
Sussex	37	08	49	15	38	08
Westmoreland	33	12	36	09	45	19
Warwick	NG	NG	NG	NG	NG	NG
York	10	04	26	12	11	05
Norfolk Borough	65	09	79	17	70	12
Williamsburg	NG	NG	NG	NG	NG	NG
-	1226	338	1463	422	1301	415

Abstracts of statements from the clerks of the County Courts, shewing the number of marriage licenses granted by them in the years 1817, 1827, and 1837, and the number of the persons obtaining them who could not write their names.

Counties between the	marriages could not		marriages	could not	marriages could not	
Head of tidewater &						
Blue Ridge	1817	write	1827	write	1837	write
Albemarle	72	14	77	15	100	25
Amelia	25	06	20	03	19	02
Amherst	45	08	45	12	40	07
Bedford	95	24	104	21	72	16
Buckingham	NG	NG	NG	NG	NG	NG
Campbell	NG	NG	NG	NG	NG	NG
Charlotte	45	12	48	04	39	07
Culpepper	71	14	81	12	31	00
Cumberland	44	08	35	03	32	04
Fairfax	36	12	39	09	21	02
Fauquier	101	23	94	11	75	10
Fluvanna	29	09	32	02	24	05
Franklin	72	21	63	14	63	23
Goochland	56	06	36	05	26	01
Greene	NG	NG	NG	NG	NG	NG
Halifax	89	26	95	27	87	22
Hanover	45	11	60	12	41	10
Henrico	116	22	98	20	88	15
Henry	28	09	32	03	38	06
Loudon	147	31	94	25	94	21
Louisa	56	14	46	05	42	10

Lunenburg	46	11	45	09	36	10
Madison	30	13	31	16	21	11
Mecklenburg	64	15	51	07	41	06
Nelson	36	06	50	14	47	07
Orange	41	09	50	09	29	01
Patrick	NG	NG	NG	NG	NG	NG
Pittsylvania	105	27	103	30	94	17
Powhatan	24	01	32	00	21	01
Prince Edward	36	02	44	06	43	06
Rappahannock	NG	NG	NG	NG	NG	NG
Fredericksburg	24	05	20	02	NG	NG
Petersburg	46	07	48	11	60	24
Richmond	32	06	44	11	NG	NG
Lynchburg	20	02	25	02	NG	NG
	1676	376	1652	320	1324	269

Abstracts of statements from the clerks of the County Courts, shewing the number of marriage licenses granted by them in the years 1817, 1827, and 1837, and the number of the persons obtaining them who could not write their names.

Counties between the	marriages could not		marriag	marriages could not		es could not	
Blue Ridge &							
Alleghany	1817	write	1827	write	1837	write	
Augusta	136	19	134	25	110	15	
Alleghany	NG	NG	NG	NG	NG	NG	
Berkley	58	08	54	15	69	07	
Botetourt	89	16	89	17	87	16	
Bath	17	00	34	01	28	03	
Clarke	NG	NG	NG	NG	NG	NG	
Frederick	113	21	110	24	54	05	
Hardy	53	13	39	10	45	05	
Jefferson	54	11	76	15	57	08	
Morgan	NG	NG	NG	NG	NG	NG	
Page	NG	NG	NG	NG	NG	NG	
Rockingham	97	23	121	18	102	20	
Roanoke	NG	NG	NG	NG	NG	NG	
Shenandoah	139	33	106	31	72	15	
Warren	NG	NG	NG	NG	NG	NG	
	826	158	835	167	706	110	

Abstracts of statements from the clerks of the County Courts, shewing the number of marriage licenses granted by them in the years 1817, 1827, and 1837, and the number of the persons obtaining them who could not write their names.

Counties west of the	marriage	es could not	marriag	es could not	marriage	es could not
Alleghany	1817	write	1827	write	1837	write
Brooke	47	03	49	05	51	02
Braxton	NG	NG	NG	NG	NG	NG
Cabell	NG	NG	NG	NG	NG	NG
Fayette	NG	NG	NG	NG	NG	NG
Floyd	NG	NG	NG	NG	NG	NG
Giles	23	06	36	16	23	07
Grayson	18	00	39	07	39	15
Greenbrier	39	07	44	04	55	10
Hampshire	73	19	62	09	31	05

Harrison	95	22	140	32	122	24
Jackson	NG	NG	NG	NG	NG	NG
Kanawha	55	18	73	23	83	16
Lee	27	10	39	08	35	11
Lewis	28	07	36	05	44	06
Logan	NG	NG	NG	NG	NG	NG
Marshall	NG	NG	NG	NG	NG	NG
Mason	NG	NG	NG	NG	NG	NG
Monongalia	61	12	79	09	102	15
Monroe	59	21	51	10	76	11
Montgomery	42	14	55	15	46	09
Mercer	NG	NG	NG	NG	NG	NG
Nicholas	NG	NG	NG	NG	NG	NG
Ohio	66	05	78	14	111	07
Preston	NG	NG	NG	NG	NG	NG
Pendleton	35	16	45	21	68	17
Pocahontas	NG	NG	NG	NG	NG	NG
Randolph	24	04	45	14	45	05
Russell	25	10	NG	NG	30	12
Scott	28	15	49	22	42	10
Smyth	NG	NG	NG	NG	NG	NG
Tyler	18	06	26	05	39	05
Tazewell	27	10	37	11	43	23
Washington	81	25	NG	NG	78	19
Wood	32	07	44	08	64	11
Wythe	56	18	71	19	56	13
	954	255	1098	257	1283	253
Total	4687	1127	5046	1166	4614	1047

# Brentsville, Va., September 3<sup>rd</sup> 1838 Accession#43151

## Virginia Governors Executive Papers – David Campbell

Virginia, Prince William County Court, September 3<sup>rd</sup> 1838. The court proceeded to elect a proper person to be appointed and commissioned a justice of the peace for this county, whereupon the following poll was taken, and ordered to be recorded as follows, to wit: "A Poll taken by the county court of Prince William County, this 3<sup>rd</sup> day of September, 1838 for the election of a proper person to be commissioned as Magistrate for the said County of Prince William.

The Candidates were E. J. Spence, Henry Fairfax, Z. A. Kankey, William Cockrell, Jas. A. Evans, Charles H. Hunton, John Gray and Seymour Lynn.

Justices Charles Ming, John Hutchison, Thomas Hamilton, George G. Tyler, James D. Tennille, and Thomas H. Fowke voted for Charles H. Hunton.

Justices Lawrence G. Alexander, James B. Ewell, Jesse Weems and Frederick Foote, voted for Z. A. Kankey.

Justices Thomas Nelson & Samuel H. Janney voted for Henry Fairfax.

Justices Redmon Foster & Allen Howison voted for James A. Evans.

Justices John Fitzhugh, Benjamin Johnson and Albert Newman voted for John Gray.

Justices Jno. W. Williams & George Weedon voted for Seymour Lynn.

Justice William S. Colquhoun voted for E. J. Spence.

Justice Jesse Ewell did not vote.

E. J. Spence 1 vote, Henry Fairfax 2 votes, Z. A. Kankey 4 votes, Jas. A. Evans 2 votes, Charles H. Hunton 6 votes, John Gray 3 votes, Seymour Lynn 2 votes, and William Cockrell no votes. Whereupon, Charles H. Hunton, is nominated to the Executive, as a proper person to be commissioned as a Magistrate in and for this County.

A Copy – Teste – J. Williams C.C.

The following is a copy of the order of court to summon the Justices and the Sheriffs returns thereon made to wit:

Prince William County Court, August 8<sup>th</sup> 1838. Ordered that the Sheriff summon the Justices of this County to attend on the first day of the next court for the purpose of electing and making a recommendation of other persons to be appointed and commissioned Justices for the said County.

A Copy – Teste – J. Williams C.C.

Sheriffs Returns – "Executed on Lawrence G. Alexander, John Fitzhugh, Samuel H. Janney, A. H. Sanders, William S. Colquhoun, Jno W. Williams, J. E. Weems, Thomas Nelson and George Weedon.

T. M. Farrow D.S.

"Executed on Charles Meng, John Hooe Jr., Jesse Ewell, Jno Hutchison, Thos. B. Hamilton, Stuart G. Thornton, Benjamin Johnson, Albert Newman, Redmon Foster, James B. Ewell, James B. T. Thornton, Robert Williams, Allen Howison, James D. Tennille, Thomas H. Fowke, Frederick Foote, George G. Tyler and James W. F. Macrae.

William F. Purcell D.S.

Teste – J. Williams C.C.

Virginia, Prince William County Court, September 3<sup>rd</sup> 1838. "Poll taken by the County Court of Prince William County, the 3<sup>rd</sup> day of September 1838 for the election of a surveyor of said county

	CANDIDATES					
Thomas Nelson	Philip Warder	Thomas Chapman				
John Fitzhugh	Charles Meng	Wm. S. Colquhoun				
Thos. B. Hamilton	John Hutchison					
Jno. W. Williams	Lawrence G. Alexander					
George Weedon	Redmon Foster					
Allen Howison	Benjamin Johnson					
Samuel H. Janney6	Geo. G. Tyler					
	Albert Newman					
	Frederick Foote	Frederick Foote				
	Jas D. Tennille					
	Thomas H. Fowke10					

Whereupon, Philip Warder is nominated to the Executive as a proper person to be commissioned as Surveyor of this County."

A Copy - Teste - J. Williams C.C.

The following are copies of Certificates filed by Mr. Warder to Wit:

"Fairfax County, Virginia – Mr. Philip Warder having represented to me that he has been nominated and appointed by the County Court of Prince William, as surveyor for said county; this is therefore to certify, that I have examined the said Philip Warder on theoretical & practical surveying and hereby certify that I consider him able to perform the duties of County surveyor. Given under my hand this 6<sup>th</sup> day of September 1838.

Jno. H. Halley

Surveyor of Fairfax County

"Fauquier County, to Wit: I certify that I have examined Mr. Philip Warder of the County of Prince William, on his knowledge of theoretical and practical surveying and believe him qualified to perform the duties of Surveyor of the County. Given under my hand this ninth day of September 1838.

Charles Kemper Jr.

Surveyor of Fauquier

Copies – Teste – J. Williams C.C. 10 September 1838

## Brentsville, Va., 4 March 1839 Commonwealth vs Landon a Slave, Convicted & sentenced to Death Accession#43151 Virginia Governors Executive Papers – David Campbell

Virginia, Prince William County to Wit: Be it remembered that John Gibson, attorney for the Commonwealth for the County of Prince William cometh here into court this fourth day of March eighteen hundred and thirty nine, into a special court of the Commonwealth of Oyer and Terminer, composed of the Justices of the Peace for the county aforesaid duly organized according to the provisions of the act of the General Assembly of Virginia in such case made and provided for the trial of slaves charged with treason or felony, and for the said Commonwealth giveth the court to understand and be informed that a certain negro man slave named Landon late of the county aforesaid, the property of one Williams Bowers of the County of Fauquier on the tenth day of February in the year aforesaid not having the fear of God before his eyes, but being moved and seduced by the instigation of the Devil, with force and arms at the County aforesaid and within the jurisdiction of this court, did feloniously, willfully, and maliciously set fire to the Jail of the County of Prince William, situated in the Town of Brentsville against the peace and dignity of the Commonwealth and against the form of the act of the general assembly of Virginia in such case made and provided.

John Gibson attorney for the Commonwealth for the County Court of Prince William

(Record sent to Governor – Prisoner convicted & sentenced to death on the 4<sup>th</sup> Friday in April next)

Virginia,

Prince William County Court, March 4<sup>th</sup> 1839.

The Court proceeded as a court of Oyer and Terminer to the trial of Landon, negro man Slave the property of William Bower charged with felony (the called Court heretofore summoned having failed to meet) William T. French Esquire was assigned counsel for the Prisoner. And the Attorney for the Commonwealth came into court and filed an information against the said Landon in these words, to wit: Prince William County to Wit:

Be it remembered that John Gibson attorney for the Commonwealth for the County of Prince William, cometh here into Court this fourth day of March eighteen hundred and thirty nine, into a Special Court of the Commonwealth of Oyer and Terminer, composed of the Justices of the Peace for the County aforesaid, duly organized, according to the provisions of the act of the General Assembly of Virginia in such case made, and provided for the trial of Slaves, charged with treason or felony, and for the said Commonwealth giveth the Court to understand and be informed that a certain Negro man Slave named Landon, late of the County aforesaid, the property of one William Bowers of the County of Fauquier, on the tenth day of February in the year aforesaid, not having the fear of God before his eyes, but being moved and seduced by the instigation of the Devil, with force and arms at the County aforesaid and within the jurisdiction of this Court, did feloniously, willfully and maliciously, set fire to the jail of the County of Prince William, situated in the Town of Brentsville against the peace and dignity of the Commonwealth and against the form of the Act of the General Assembly of Virginia in such case made and provided.

John Gibson attorney for the Commonwealth in the County Court for Prince William County

And upon the information aforesaid the said Slave Landon was arraigned and upon his arraignment, pleaded not guilty, and for his trial put himself upon God and this Court, And the Court proceeded to examine sundry witnesses for the Commonwealth; On consideration whereof, the Court are unanimously of opinion, that the said slave Landon is guilty of the offence, with which he stands charged. This therefore considered and ordered by the Court, that he be remanded to jail, the place from whence he came, and there remain until the day of his Execution, and from thence, takin to the place of Execution and hanged by the neck until he be dead, on the fourth Friday in April next, between the hours of 10 o'clock in the morning and 4 o'clock in the afternoon of that day.

And the Court are of opinion that the said slave Landon is worth \$900. And the Court recommends the said Slave Landon to the mercy of the Executive.

The following was the evidence taken in this case Commonwealth vs Landon for burning the jail of Prince William County.

Commonwealth vs Landon Summary of the evidence.

Wm. S. Fewell sworn to give evidence in behalf of the Commonwealth stated as follows:

On the morning after the servant was put in jail Sunday morning; I proposed to Mr. Purcell that we should go over and look at the Negro – do not recollect the hour – met with Mr. Evans – went into the jail – got to the head off the stairway. I recollect I first called to him and he remarked that there was a house on fire and on being questioned as to where the fire was, remarked that he did not know – that the old man supposed to be the man taken out of jail the evening before, said he intended to set a house on fire that night – He said he thought he heard a fire some where – he said this way, but witness did not know where, as he could not see prisoner – went down stairs to see where the fire was, and someone opened the door of the adjoining room – after asking Mr. Clifford the jailor for the key – The room adjoining was unoccupied and the key in the door. The prisoner was in the front room – and the fire was supposed to have communicated there – The witness discovered no signs of fire until the adjoining room door was opened of the adjacent room – The witness cannot say that there were no signs of burning there before – He saw evidence of fire having been once applied by accident or otherwise but does not know when. He says that prisoner denied having set jail on fire and remarked that if he did it must have been accidental, that he smoked his pipe and then went to sleep – Saw nothing of handkerchief.

#### T. M. Farrow's Testimony

On the day the prisoner was committed the witness was not present – he came in that evening and examined the room – I discovered there was a place burned in the centre of the room or nearly so, but I took no notice of that – he then examined the place where the fire was supposed to have been communicated – he did not discover the burnt place before that he recollects of – Witness is Deputy Sheriff and had occasion to visit jail frequently – he discovered there had been a piece of cotton or silk burned in the hole – could not say which – This was discovered in the room where the fire was communicated – On the day set apart for call Court I went to examine and found some coarse linen – partly burned linen cloth, this was discovered by running a stick down into the hole which had been burned – The piece or roll was about the size of a walnut.

Prisoner said to Servant Woman who questioned him in hearing of witness, that he did not set the house on fire – that it must have caught from the coal in his pipe, but anyone in jail would try to get out – Prisoner had a bundle of clothes in room with him – Coat &c. – The window had been prized at in the room where prisoner was and the facing started – Witness will say that prisoner did it.

J. A. Evans acting in behalf of Commonwealth proves the facts as stated by William Fewell.

Overton a colored man Slave charged and sworn says – In the morning about one half an hour by sun, Sunday Morning, I passed by the door of Jail and prisoner asked for coal of fire to light his pipe – Witness asked him if he could not wait until after breakfast – Prisoner said he could, after breakfast he gave him the fire by permission of the Jailor who first objected and afterwards assented – which day was the Sunday on which the Jail was fired – Mr. Clifford says about 7 o'clock, he was in the room, when Overton came into his room and asked for fire to light the pipe of prisoner – The Servant took coal of fire to the prisoner – about one hour and a half afterwards the witness says that the Gentlemen Messrs Evans, Fewell and Purcell came to the jail to see prisoner – Mr. Fewell then sent to witness for Key – supposed the jail had been on fire sometime – Thinks more than half an hour – The room where he was locked and there was little appearance of fire elsewhere.

Mr. J. F. Reid witness in behalf of the Commonwealth says, as soon as he heard the alarm of fire, he went to the Jail and entered the room adjoining the one where prisoner was and saw fire burning in the ceiling – he directed some hands in applying water to extinguish the flames – and think from appearances that the fire originated in the room of prisoner, do not think that the fire could have been communicated by anyone except somebody in the room where prisoner was.

## The Following is a copy of the Warrant:

To James Purcell a Constable of Prince William County to Wit:

Whereas George W. Clifford of the County of Prince William aforesaid, hath this day made complaint upon oath, to me John Fitzhugh one of the Commonwealth Justices of the Peace, for the County aforesaid, that on this 10<sup>th</sup> day of February 1839, the Public Jail of Prince William County, in the Town of Brentsville, was willfully and maliciously set on fire, and burnt and that he hath just cause to suspect and doth suspect that a certain Negro Slave named Landon now confined in said Jail as a runaway, and supposed, to be the property of William Bower of the County of Fauquier, did feloniously willfully and maliciously set fire to and burn the said Jail.

These are therefore, in the name of the Commonwealth, to require you immediately, to apprehend the said Landon, and to bring him before me or some other justice of the peace for the said county, to be examined concerning the premises wherewith he is suspected. Given under my hand and seal this 10<sup>th</sup> day of February 1839.

Jno Fitzhugh J.P. (SEAL)

The following is a copy of the Mittimus

Prince William County to Wit:

To the Sheriff or any Constable of the said County and to the keeper of the Jail of the said County. These are to command you the said Sheriff or Constable in the name of the Commonwealth to convey and deliver into the custody of the said keeper, of the said jail, the body of Landon a Negro supposed to be a runaway, the property of Wm. Bower, charged before me with setting on fire and burning the Jail of Prince William County – And you the said jailor, are hereby required to receive the said Landon into your jail and custody and him there safely keep, till he shall thence be discharged by due course of law. Given under my hand and seal this  $10^{th}$  day of February in the year 1839, and in the  $63^{rd}$  year of the Commonwealth.

Jno Fitzhugh J. P. (SEAL)

# Brentsville, Va., March 14<sup>th</sup> 1839

# Box #5, Folder 7, Accession#43151

# Virginia Governors Executive Papers – David Campbell

To the Honorable David Campbell, Governor of Virginia

Your petitioners beg leave to represent to your honour that the Negro man slave Landon whose condemnation by the County Court of Prince William County held at the Court House of said County on the 4<sup>th</sup> day of March 1839 was the property of Wm. Bower of Fauquier County Virginia. That said negro man was committed to jail on the 9<sup>th</sup> day of February 1839 as a runaway to be retained until his masters should apply for him. That on the  $10^{th}$  of same month as will appear by the evidence transmitted to your honour, the felony was committed no doubt for the purpose of liberating himself and not with that malicious intention which actuates the mid-night incendiary – in this your petitioners find sufficient reason for an extenuation of the crime. Your petitioners beg leave further to represent that the mitigating circumstances were such that the court declares their determination not to condemn the slave to capital punishment without recommending him to the mercy of your Excellency. This they have done with a confident belief that this mercy will be extended to him & his punishment commuted to transportation. Your petitioners deem it unnecessary to say more or to use any other mitigating or excusatory circumstances herein before mentioned refers the interposition asked at your hands.

MEMBERS OF THE BAR (N.?) F. Cleary Thos. J. Murray Wm. B. Tyler Richard Payne J. M. Conway Jr. A. G. (S.?) Tebbs Jno. S. Byrne John W. Tyler F. R. Love Wm. T. French B. Ward G. Washington

CITIZENS GENERALLY Fras. T. Hooe Jno Mosby Geo. A. Farrow Dep. Sheriff T. M. Farrow Saml. Tansill James Fewell Robt. C. Leachman P. D. Lipscomb Thos. Foster C. Hunton James A. Evans G. W. Clifford Wm. S. Fewell B. Hunton, D. Clerk William Larkin William R. Leachman J. Williams (clerk)

Dumfries, Va., March 14<sup>th</sup> 1839 Letter from J. E. Weems – petition for Slave Landon Box 4, Accession#43151 Virginia Governors Executive Papers – David Campbell

To David Campbell Esq.

Sir,

I take the liberty of addressing you on a subject of much importance. I say important; I feel it as such, and hope you will grant my petition.

A slave by the name of Landon, the property of Capt. Bowers was tried at Brentsville on Monday the  $4^{\text{th}}$  inst. for fireing the Jail – two of the members of the court & self thought his case came under the Act of Feb  $12^{\text{th}}$  1829, which entitled him to benefit of clergy. Not being satisfied in my mind with the valuation of damages assessed by incompetent judges, I could not conscientiously consent to a verdict of guilty, but with the provision that the justices setting with me on his case would recommend him to your mercy & that his punishment be changed from death to transportation. Also that the Commonwealth's Attorney assured me, the prayer of the court would be granted by you as heretofore.

I assure you I feel truly concerned, his case I thought & still think a peculiar one nor would I for my right hand have assented to the verdict but with the above named provision, & assurance being granted. Unless his punishment be mitigated I shall feel condemned, but relying upon your benevolence.

I have the honour to be very respectfully Your Obedient Servant

J. E. Weems