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RETROCESSION OF ALEXANDRIA TO VIRGINIA. (To accompany bill H. R. No. 259.)

February 25, 1846.

Mr. Hunter, from the Committee for the District of Columbia,
made the following

REPORT:

The committee to whom was referred the petition of many
citizens of the town and county of Alexandria, for the retrocession
of the portion of the District of Columbia south of the Potomac,
have consider the same, and report:

That they have come to the conclusion that there is much in
the petition to commend itself to the favor of Congress.

The portion of the District of Columbia south of the Potomac
constitutes about one-third of its area, and up to this time has
not been used for the public buildings or grounds necessary for
the seat of government.

The experience of more than forty years seems to have demon-
strated that the cession of the county and town of Alexandria

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ful suggestions. In conference, he was simply wonderful. His first expressions of opinion as to the law bearing on a given subject were almost invariably confirmed by later investigation. His judgment on questions of policy was as unerring as his position on issues of right and wrong was unwavering.

But he was tenacious of his opinions only on matters of principle. He allowed the fullest discretion to local counsel in conducting their cases and accorded them full mead of praise for success, but never reproached them for an unfortunate result. There was no "I told you so" in his nature. He rarely questioned their accounts, but when he felt compelled to do so, it was done by way of suggestion and not of criticism.

I believe his affection for Virginia was only second to that for his own State. I have often heard him express the greatest interest in her prosperity. I claim for Virginia a part of the credit for his courtliness and courtesy; for he had Virginia blood in his veins, and was proud of the fact. On his mother's side he was descended from Governor Yeardley, and from the original emigrant of the Custis family. He was imbued with Virginia sentiments and traditions, and his efforts toward the upbuilding of her waste places and development of her latent wealth were not alone the effort of the professional man, but a labor of love as well. The pillars of fire by night and of smoke by day that rise all along the line and have guided us into the promised land of plenty are testimonials to his memory.

He was born January 17, 1844, and died July 21, 1919. His life work was his service with the Norfolk and Western, to which he was faithful unto death. He had no public ambitions, but only strove to do his duty in the station to which God had called him. Of such a life there is little to relate beyond the statement that he did his duty to the utmost; for it can truly be said of men as of nations—"Happy those who have no history."

NOTES FROM BARTON'S COLONIAL DECISIONS.

(Continued from July number.)

Page 71. Andrew Giles & Mary, his wife, & Mary Mallicote plts vs. Morey Mallicote, deft.:

Thomas Mallicote devised to his son John a negro man named Quashey, and to his son Thomas a negro woman named Betty, and gives slaves to his other children. The testator's sons John and Thomas are dead and would not be 21, if living. The plaintiff Mary, the wife of Giles, is the testator's widow, and the plaintiff Mallicote is one of the testator's daughters. The defendant is the testator's eldest son, and heir to his brothers John and Thomas and is more than 21 years old.

Page 78. Faldo for Seymour Powell and Ann, his wife, ag't Thurmer. In Ejectment:

Argol Ransha seized of 300 acres of land died intestate, leaving two daughters Ann and Sarah to whom the same descended. Ann married George Jackson, and had issue by him Ransha, George, Sarah, and Ann. Ransha died without issue, Sarah, married Robert Thurmer and had an only child George, but both are dead, and George, who died in 1723, left no issue. George Jackson (the son) is dead without issue, Ann the other daughter of George and Ann Jackson is one of the lessors, and the deft is the heir of Robert Thurmer. (In 1632 Thomas Ramshaw represented Warwick River in the House of Burgesses.—*Editor*.)

Page 85. Timson agst Robertson:

Samuel Timson by his will devised the premises in question to his son John, who lived to be 21 and by his will devised to William Timson and died without issue. William died without issue in 1726 23 years old. Lessor is his heir.

Page 93. Jones & c. vs Porter. In Chancery. April Court, 1740:

William Porter and Jane, his wife, sold 99 acres in Middlesex Co., in 1703, to Thomas Jones, father of plaintiff John Jones &

a daughter of Thomas Bobby and Mary, daughter of John Geddes. (See Wirt's Life of Patrick Henry, WILLIAM AND MARY QUARTERLY, XI., 77-78; XXI., 48.)

Page 223. Robinson agt. Armistead et al. In Chancery. April Court, 1737:

John Armistead and Robert Beverley jointly purchased 100 acres in Gloucester conveyed to them June 17, 1680 for 50 £. Beverley by his will Aug. 20, 1686, devised his half part to his dau. Catherine in tail & soon after died, after which Armistead became sole possessor of the premises & died possessed.

And after his death John Armistead (William?), his eldest son & heir entered and died possessed, after whose death his son & heir John Armistead entered & died possessed leaving the defendt John Armistead his son and heir an infant. That the said Catherine, at the death of Beverley, was an infant & before 21 married John Robinson, Esq., the pltf's father now living, and died in 1726, leaving the pltf her eldest son and heir, then an infant. And since the death of Armistead the grandson, the defendants Burwell, Armistead & Dudley, in right of the defendant Armistead, an infant, have entered claiming the whole by survivorship, refusing to make partition. The pltf. requests relief.

(See Armistead Family in WILLIAM AND MARY QUARTERLY, VI., p. 99, where the eldest son of Col. John Armistead is shown to be William Armistead of Easmost River, Gloucester Co., who died in 1711.)

Page 232. Spicer Adm'x & of Stone vs Pope et al:

John Stone by his will April 27, 1695, devised his plantation, slaves and personal estate, to his wife and his son Richard Metcalf and daughter Ann and their daughters Mary and Elizabeth and son John, and children that shall hereafter be born. His wife died before him, and he died in 1699. Ann Metcalf married subsequently Barrow, survived him and died in 1728. She had four children by Metcalf, Mary, Elizabeth, John aforesaid, and Sarah, born after the will made, to whom after their mother's death Stone's estate belonged by his will. The plaintiff, one of these

children, has never received any part except the slave devised to her. The defendant set up several titles, some of them under the other children of said Richard and Anne Metcalf, and others under the children of Anne by her 2d husband Barrow, and the defendant Rust has some plate and other things of Stone's estate. Judgment, October, 1736. (See QUARTERLY, V., 12-13.)

Page 243. Hawkins vs Hawkins. Ejectment.

Thomas Hawkins made his will Feb. 8, 1671, and names two sons Thomas and John. The first died under age and without issue. John sold the lands devised by his father to the defendant. The lessor of the plaintiffs is heir of the body of John. Judgment April, 1737.

Page 251. Slaughter agst Whitlock:

Martin Slaughter by his will April 23, 1732, names son George (the pltf) and daughter Judith, who married the defendant and died without issue. Judgment April, 1737.

Page 256. Brooking vs Dudley. Dixon vs Brooking, & Collier vs Brooking:

Upon a special verdict the case is: Judith Whale, being possessed of several slaves, married Ralph Emery & died in 1724. The plaintiff Brooking, her heir at law, after her death brought suit against Emery for the slaves. Being an infant William Brooking acted as his next friend. Plaintiff had judgment in April, 1727. He was then about 12 years old and had no guardian till after he was 14 when he chose Wm. Lawson.

Page 272. Legan, lessee of Richard Bernard plf. vs Washington Parish, Dishman, Weeden, John and Wm. Brown defts. In Ejectment:

The jury has given a special verdict, upon which the case is: A patent was granted to Ann Bernard, in 1657, for 1000 acres, and in 1651 for 1500 acres, including the 1000 acres, under which the pltf claims. Anna Bernard died seized & the premises descended to her son Rich'd Bernard, who died in 1691, having de-