

## Petition of King William County Freeholders, 1843 (p. 1 of 4)

The General Assembly of Virginia

The petition of the undersigned freeholders and other white inhabitants of the County of King William, respectfully represents to the Legislature, that there are two parcels or tracts of land situated within the said County, on which a number of persons are now living, all of whom by the laws of Virginia, would be deemed and taken to be free mulattos, in any Court of Justice, as it is believed they all have one fourth or more of negro blood, and as proof of this, they would rely on the generally admitted fact, that not one individual can be found among them of whose grandfathers and grandmothers, one or more is or was not a negro, which proportion of negro blood constitutes a free mulatto. see R. C. Vol 1<sup>st</sup> page.

The two tracts of land referred to, are each called & known by the name of Indian Town. One situated on Pamunty River, containing the estimated quantity of Fifteen hundred acres, on which persons are now living; the other situated on Mataponi river, containing less than one hundred acres, on which persons are now living. The said lands, it is believed were set apart by a law or laws of the colonial legislature, at an early period in the settlement of the Virginia colony, for the use & occupation of the Pamunty tribe of Indians, then a small remnant. The fee in said lands is not granted away, but only the use and occupation, to them as Indians, without the power of alienating said lands. And on this ground your petitioners are informed, that the legislature of Virginia, now proposes to dispose of said lands according to its own sense of what is required by the public good. Your present petitioners do not question the justice & propriety of the laws of the colonial legislature; it was a benevolent act and for a long series of years, operated as a harmless provision for those who had some claim on the consideration of the public authorities of the colony. But time and circumstances have wholly changed the nature of the question and completely unhinged the design of those who enacted its provisions. The object of the colonial Assembly was evidently to protect a few harmless and tributary Indians, but the laws which were proposed to secure these Indians from intrusion on the part of the white inhabitants, has unwittingly imposed on the posterity of the same white inhabitant a great grievance, in the presence of two incorporated bodies of free mulattos in the midst of a large slave holding community. A greater grievance of such character, cannot be well conceived, when it is known, that a large number of free negroes and mulattos, now enjoy under a law

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(repealed for a praiseworthy purpose) peculiar and exclusive privileges such as, an entire exemption from all taxation, holding land without any liability for debts, and the land so held properly speaking public land, belong to the Commonwealth; enjoying also under the provisions of the same law, a kind self government such as the right to choose Trustees and headmen, as if to represent the persons and Office of Indian chiefs - the right to make laws for their own government, the right to enforce those laws by pains & penalties in fine, some of the powers lodged by the general laws of the Commonwealth, with our Courts and civil magistrates. It is not probable that any Legislature of Va would now enact any law, which would have such bearing and on the same grounds your petitioners presume the present General Assembly will not consent to a continuance of a like institution, which is the offspring of an old law, - designed originally for a quite different purpose. The colonial legislature did not foresee the state of things now complained of - it was impossible to foresee the ultimate destiny of the Indians who were the objects of the legislative care.

The present General Assembly must see the necessity of some legislation to protect the white inhabitants from the present evils inflicted on them as well as to guard them and their posterity from the possible or probable evils which may grow out of such a state of things. These free mulattos are fastened on the County, they are to remain fixed in their present threatening position unless the legislature, interfere on behalf of the white inhabitants. The claims of the Indian no longer exist, his blood has so largely mingled with the negro race as to have obliterated all striking features of Indian extraction. Your petitioners express the general voice of the free white people of the County - and as slave holders they protest against this dangerous and anomalous institution, for it has assumed all the features of a legally established body of free negroes. The general resort of free negroes from all parts of the County - the haunts of vice, where the worthless and abandoned white man may resort and find every thing to gratify his depraved appetite; where spirituous liquors are retailed without license; the ready asylum of runaway slaves; and secure harbor for every ~~evil~~ negro concealment.

Your petitioners further represent to the general Assembly that, serious apprehensions are felt, by the white inhabitants, from the increase of these free mulattos, and their present combination in places accessible by a bold and easy navigation to every vessel that enters the river. They could be readily converted into an instrument of deadly annoyance to the white inhabitants by northern fanaticism. This is more than a possible event, and must be considered in the light which its nature and importance suggests. There is nothing in the character and habits of these free mulattos, to forbid such a conclusion - they are generally idle and vagrant and seeking a support, ~~from~~ <sup>from</sup> the means not compatible with an honest livelihood, and some of them have been on several occasions lately brought before the Court for breaches of the peace and other offences and confined at the public expense in the County jail for months. Your present petitioners are

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willing to admit that some exceptions to the general character here stated do exist among these freeholders, but these are not of much consequence, and cannot alter the nature of the grievance here complained of.

It is also admitted that some of these free people are the remote descendants of indian stock, but mingled with the negro blood, whilst a number of them have no relationship to the indian stock being free negroes or mulattos, who have settled ~~upon~~ these lands, coming from sections of the country, and this practice is well calculated to produce some of the worst consequences to which your petitioners have slightly alluded. Set apart and secured in the enjoyment of privileges which are not extended to the poor and meritorious white citizen, these free mulattos have long since shown that they felt as if distinction of color was not to be regarded in their case, and that within the limits of their own towns they were licensed to do as they pleased.

Your present petitioners have endeavoured to make the general assembly acquainted with the nature of the grievance they suffer, I thought could add much more, but it is believed that there is force enough in the general principle which applies to a slave holding community, to sustain them in their complaint of a violation of that principle of safeguard now existing among them under the sanction of an old statute which has lost its original character and design and assumed an threatening attitude to the general interests of the community. Had the law of the colonial assembly given the lands in question to the indians of that day, their dispersion would have avoided the present mischief - and even now whilst your petitioners ask the Legislature, to authorize a sale of these lands and a distribution of the money accruing from such sale amongst such of these occupants as can show their descent from the indian stock, they believe that an act of the Legislature, doing away with the provisions of the old law and authorising & directing a division of said lands amongst the same descendants, with power to sell & convey away in fee simple, would in the progress of time, be seen to remove the present grievance; your petitioners therefore submit the whole subject to the wisdom of the Legislature, suggesting at the same time, that the present acting trustees be authorized to carry into execution any law which the wisdom of the general assembly may deem proper to enact, and that the aid of the county court be used to settle finally all rights under said law, and your petitioners earnestly wish the interposition of the Legislature in some way or

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for support, often such as are wholly inconsistent with the good order of society and the interests of the whole inhabitants of the county. Your petitioners believe that there are some, but only a small number, who would form exceptions to the general condition, but these would be benefited by a dissolution of the present tenancy in common, which now prevails: and believing as we do that the time has fully come when the legislature may, with great justice and propriety, be called on to remove the evils, which are only partially stated in this petition, for the sake of necessary brevity, they ask for relief in some way and on their behalf and the other white inhabitants of the county. Your present petitioners do not wish to take any from them or such of them as may be fairly entitled under the letter or spirit of the law of the colonial assembly, the bounty once bestowed; they only wish to remedy a great and growing evil to themselves and their posterity. And as the legislature is alone competent to give the remedy, now on behalf of all the white inhabitants of the county of King William, we state our settled conviction, that nothing less than a sale of the said lands will destroy or remove the nuisance, now felt and complained of. And to effect the object your petitioners ask the passage of a law directing a sale of all the lands mentioned and described in this petition, and that a distribution of the monies accruing from such sale be made in such equal proportions and to such persons and families as may be fairly entitled by the rules of descents and the general laws of the state in relation to landed property, or that such other relief may be granted to your petitioners as the wisdom of the legislature may deem adequate and proper.

John Duffauger  
William Hill  
J. Slater  
Sterling Lipscomb

acting trustees

Thomas Rabray  
Simeon Edwards -  
Robt. Pett  
Robt. Meredith  
James Johnson  
Anderson King  
Francis F. Fry  
Nathl. Cleary

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