

WEDNESDAY, February 9, 1767.

VIRGINIA GAZETTE

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Open to ALL PARTIES,

From the GENTLEMAN'S MAGAZINE
for November last.
An Epitome of a Pamphlet just published, under the Title
of The Case of Anne Countess of Arundel.

In the year 1707, the honorable *Richard*, formerly the younger son of *Richard Lord Albion*, who had been a Soldier in the Army, but for some years had been *French Officer* pay, and was then totally destitute of subsistence, came to *Dublin*, and prevailed upon *Lord Singing*, the only daughter of a wealthy citizen, then scarce fifteen years old, to marry him in privacy.

In between with such greatly enlarged mind, but being at length prevailed, the good offices of *Richard's* older brothers, *Arthur Lord Albion*, they were again married in a public manner, by *Henry Daniel*, the Curate of *St. Catherine's*, who intended a certificate of the marriage on the *Dormer*, which had been taken out of the consistory court by the *Steele of Dublin*.

Some time after the marriage of *Richard*, *Arthur Lord Albion*, his older brother, the upon which he assumed the title of *Lord Albion*, but being still a very destitute of subsistence, *Mr. Singing* received him into his family, and supported him and his wife, until the determination of *Lord Lord Albion*, in a matter suitable to their rank, and consequently by a considerable expense.

In the year 1720, *Mr. Steele* the then *Arch. Deel*, and left his daughter on annuity for his independence of her estate, to whom he also left a legacy. In the year 1723, *Richard*, having money, prevailed upon his wife to sell her annuity and, for that purpose, to join with him in a deed, and in buying a *House*, which place attracted and acknowledged by the north of the bar of the Court of Common Pleas by the title of *Richard Lord Baron of Albion*, and *Lord Lord Albion* his wife; as appears by the deed and fine, both boxes on record.

In 1727, *Arthur Earl of Arbury* being unable to live, *Richard* became a *Successor* by his own son, others lost in England and in Ireland, upon which he and his wife were introduced at court in the late Duke of Devonshire, then Lord Lieutenant of Ireland, as *Earl and Countess of Arbury*, and were acknowledged to be so by all the nobility in the Kingdom, and took their rank accordingly.

In the same year, a married wife between Earl Richard and one *Christiana Dorey*, surrendering their right of inheritance to Earl Archer's widow and so, though they came to an agreement to divide it between them, she entered into twelve articles of agreement for that purpose, dated Nov. 6, 1777. By these articles, among other things, it was agreed, that if either of them died without issue, the survivor and his heirs should have and be in the possession of the deceased's lands, tenements and hereditaments for a year and a quarter next ensuing. Earl Richard was empowered to sell and convey in fee simple, a year for his widow, and 45,000 l. for his daughter, who had 2,000 l. a year for his widow, and 45,000 l. for his daughter.

Some other articles were entered into, but Earl Richard, pretending that he had been imposed upon, refused to carry them into execution. Earl Richard gave a bill in Chancery against Dorey, to set these articles aside, and to give him a bill against Richard for a specific performance.

In the year 1781, and at the instance arising, Earl Richard brought suit with a demand for 40,000 l. and damages to provide for his widow and other dependants. He in vain urged the powers reserved in some of the articles in dispute, and by deed, dated the 14th of November 1780, between himself and Richard, and Anne, his sister, afterwards Anne, Duchess of Devonshire, and William, Duke of Devonshire, General, to the effect, to wit, to transfer, charge all his estates of which he had possession, and to recover, with the payment of 4,000 l. a year to his daughter, *the Duchess* &c. so much to be paid to his Countess and his daughter, *Mrs. Jack* &c. with 50,000 l. for his eldest daughter, *Dorothy*, 20,000 l. for his second daughter, *Caroline*, and 7,000 l. for his youngest daughter, *Elizabeth*.

But, after having received this due, manly reproof, he set to *John Wiggins*, his wife's brother, for her use, and the wife of his daughter, but he would not suffer it to be required, insisting that it should be kept as far from secret, while his sons with Charles were departing, for then Charles should take any advantage of it, as tending to discredit the article, which he was endeavouring to set aside.

that being after, *Lord* *Lawrence* *Lawrence*, the daughter of one *Richard* *Lawrence*, who sold an uncoloured kind of oil, called *Indian* *Oil*, in a cabin at the village of *Cumby*, where *Lord* *Lawrence* resided. With this woman, who had long kept company with his *Lordship's* *very* *friend*, his *Lordship* himself became enamoured, and contracted a criminal familiarity with her.

From that time he began to treat his Councils and company with great indifference, which gradually changed into cruelty; and at last he not only totally abandoned them to absolute want, but, to prevent their enjoying the provision he had made for them after he was dead, he took away the Council's scriptures, and ruined her of all her writings, particularly the deed of provision, which had been returned to him by the Council.

Of this deed, however, the original draught, settled by Sir Simon Duffresne, has been found, and the execution of the deed itself properly proved.

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from a Master in Chancery, and transmitted to *Ca^r Colclough*, Esq; Knight of the Shire for the County of *Wexford*, as a justification of the Lady's character.

In the year 1743, she preferred, was advised by the late most excellent Doctor Zimlin, then Lord Primate of Ireland, with whose family she was in great intimacy, to institute a suit against her husband in the chancery court, and accordingly she did institute such suit for cruelty and adultery, and upon conviction of his marriage with her, in his paternal house—she obtained an order against him for an interim custody of four pounds a week, with a full order should be pronounced in the suit, had her efforts at that time, and her former suit in the chancery.

upon which sentence of excommunication he was pronounced against him, and he still continuing obstinate, he was, after all due forms, declared an excommunicated person.

for a writ *de executione capite*, but the Chancellor declined to grant it, on account of privilege of peerage. From this order, therefore, the unhappy Countess obtained an allowance, and from this time she subsisted wholly upon a pension obtained for her by her late Majesty by the E. of Chesterfield, who being then Lord Lieutenant of Ireland, represented to his Majesty the extreme necessities of her case.

[illegible]

my, and therefore previously applied to his Majesty for a *soli profectus* on that account. But though he could not obtain a *soli profectus*, he determined to run the risk of a prosecution, rather than not let slide his marriage with the Countess.

This plea, however inequitable, and whatever validity it implied, was but not well founded; for though the marriage with *Anne Flory* was prior to the marriage with *Anne Simpson*, it had always been tacitly understood by the parties to the first. It is probable, indeed, that *Anne Flory* would have communicated it to the injured lady whom *Richard* afterwards married, if he had not, upon the payment of \$500 l. by him, accepted an instrument by which the defendant became a husband, and covenanted unto to defend him in the event.

[illegible]

It is certain that the Earl did not acknowledge his marriage in 1742, and that Gillies Donnan, till nearly that time, gave receipts and signed securities for money, by his maiden name, and in 1750 by the same name, entered up a judgment in the court of exchequer in Ireland, which remains upon record.

On the 7th of April, 1759, Earl Richard, (though still under sentence of excommunication, made his will, by which he bequeathed

the name of his beloved wife, *Elizabeth*, charge of \$5000, a year, and all his personal effects. *John Simpson*, with whom he had received a very considerable fortune, he left out, and to each of his daughters by her 2d, with a view that their legacies should be pleaded in bar to their claims under deed of the 14th of November 1740, which they are now suing in court of chancery in *Ireland*.

In 1964, *Richard* died, under the banner of economic justice and *Griffin* left *Griffin* with his medical estate, to the amount of \$50,000. *Griffin* entered court, both in England and Ireland, against the grant of administration to *Griffin* under the will; a fact which seemed immediately in both courts, but it was carried on with all the disadvantages on the behalf of *Griffin*, that poverty and illness to suffer in a court with wealth and influence.

A suit was also commenced by *John Stanley*, against the Duke of Devonshire, and the Duke of Norfolk, on a supposition that *Richard* died without legitimate male issue, that those Dukes succeeded to him by right of inheritance.

The Attorney General, who is in the lodge of the progressive court, and the Attorney General, who has always in the past been a friend of the law, has been determined to stand against the law. It is alleged that he has no authority to determine, and that his determination against the law is a violation of the law. The Attorney General, who is in the lodge of the progressive court, has been determined to stand against the law. It is alleged that he has no authority to determine, and that his determination against the law is a violation of the law. The Attorney General, who is in the lodge of the progressive court, has been determined to stand against the law. It is alleged that he has no authority to determine, and that his determination against the law is a violation of the law.

In August 1865, Anne Stappin, after struggling against the
oil cruelty and oppression in prosecution of her felt, died of a heart

Now the daughters are still living, but without any means or sufficient subsistence, or hope of future, except they can recover the estate of their mother's jointure, and the portions allotted them by their father in the deed of November 1740, for which they are now suing in chancery, but under the greatest disadvantages, for want of proper assistance. They are also endeavoring to establish their marriage, by prosecuting the cause in the prerogative courts here, *England and Ireland*, which their mother had commenced.

If those who have it in their power, would assist them in the struggle, and enable them to find equal reason to hope for success, even the poor marriage of their father with Anne Phelps, would be established, for even then this case, as they allege, would be exactly the same with that of Mrs. Campbell, in her suit against Mr. Knolly, which was a few years ago determined in favour of Mrs. Campbell by the Supreme Court of Louisiana upon an appeal. As a reason for this determination, it was the fact, that if a woman, under a prior contract of marriage, should claim him as her husband, or acquiesce in such a claim, but, on the contrary, contribute to the fraud, by a voluntary and concerted concealment, no woman can lose life, if by such concealment she is liable to be dropped of her fortune and the father, and to become the mother of children, who, notwithstanding their own virtue, and the public and filial devotion of the father, must incur the disgrace & disadvantages of illegitimacy.

Norfolk, February 10, 1767.

Mr. RIND,

It will oblige a Number of your Readers, of Colour, in the
I. O. who have been elegantly addressed on the Advertisement relating
from Agriculture, will be pleased in point out the Measure in which
they propose writing Book Debt, provided the Act of Affirmity
of the said George II. for that Purpose is repealed; and whether they
think it is reasonable that the Repeal should affect the Nation of this
Country, who are concerned in Trade, in equal Degree with those of
the *British* Dominions on the other Side of the Atlantic.

I am, Sir,
 Your very humble servant,
 R. W.

CURIOSITY.

IN the Southern parts of Italy, reigned a King and Queen who had three daughters; the youngest of which was named *Fischia*. This lovely when young, the little *Fischia* advanced in beauty as she grew in years; and when she had attained her fifteenth year, was more heavenly fair.

—Then passing our subject—

[illegible]

Mean time her royal Power, and use for the first of a Sanguine
baptized, concluded the Oracle of Apollo how to dispose of his
They were determined to find her to the top of the mountain, and
where southern deep loaded snow late in the season of hail, the person
of her's demand, Here *Hyperion* and her family on the vaulted
grassy on their heads, and the sun's rays, and the clouds, and the
of her's was concluded under a tree, the palace's water was
very beautiful flower breathed forth its fragrance to delight the face
of her's beloved inhibition, And the mother and with her in dignity
and the first time forth, amid the flowers of love, the sublime
concomitant to which, she was subjected to her's heart; and

But even before reaching his own residence, the duke of company took such total possession of her soul, that, he wrenched the little girl with insupportable importunities to let her Sisters & her, Elizabeth, be at length compelled, and warning her of the danger of being induced to gratify her curiosity in discovering him, departed & commanding his attendants, the *Egyptians*, to conduct his Sisters to the palace.

and magnificence of the dwelling, and the material honors to be received by her ever loved. Yet they could not help marveling that the transcendent felicity of her situation and her learning from the momentous *Epistle* every circumstance of her sorrows, they feeling rising in sympathy to disclose who the owners of the palace was, telling her so, to wish what she was sorrowing, and then to consider him as the only means of delivering herself, from so miserable a condition, the wretchedness of which they did not fail to exaggerate with all the wiles art that might increase her desire of freedom, alarm fears, and agitate her resolution.

'Twas at the hour of twelve, when hailed by Nightingale,
 lapped in flowers,
 Peasies, and daisies, willows and asphodel;
 Earth's fragrant, softest lap.

—By his land *Fleech's* hole the longest single word.
upon her hoaried purple, she on her arm half-raised behind his
but, in lovely fair, so amiable mild, his youthful face with re-
families o'er spread, that the in sweet amorous glad, —delight-
From her back hand the silver bodkin drew; when turned a
mode, uprose the trembling god, and on his purple wings flew,
to return.

[illegible]

* The Arthur, Lord Altham, was the father of James Annesley, who, in 1744, brought an action against the very Richard, afterwards Earl of Anglesey, for the recovery of the Anglesey title and offices.

10. The communication of power is legally incorporated to make a will,
or separate personal estate.

[illegible]

Whosoever will deliver the said Servant to me shall have FIVE POUNDS Reward, besides what the Law allows, paid by
GERALD ELLYSON.
N. B. I expect he will endeavour to get on and find a ship. All Masters of Vessels are hereby invited from employing or carrying him who shall report.

Williamsport	Tuesday	the 1st of March
Jones City	Tuesday	the 1st of March
York	Friday	the 4th of March
Warwick	Monday	the 7th of March
Elizabeth City	Tuesday	the 8th of March
Accomack	Tuesday	the 8th of March
Northampton	Tuesday	the 8th of March
Gloucester	Monday	the 7th of March
Mathews	Tuesday	the 8th of March
King & Queen	Tuesday	the 8th of March
King William	Friday	the 4th of March
Liv. Co.	Monday	the 7th of March
Lancaster	Monday	the 7th of March
Georgetown	Wednesday	the 9th of March
Hanover	Friday	the 4th of March
Henrico	Monday	the 7th of March
Charles City	Tuesday	the 8th of March
New Kent	Wednesday	the 9th of March

ALEXANDER FINNIE, *Adjunct*

JOHN LESTER, JR. 1958.

MATTHEW MYARS

WILLIAMSBURG, February 18, 1767

THOMAS CRAIG, *Tyler*.

A CHOICE parcel of elegant born NEGRO'S, consisting of Men, Women and Children. Credit will be allowed the Purchaser till Order sent for one Third Part of the Money, till April '86 for another Third Part, and the other Third and last Payment a April 1796; they giving Bond with good and sufficient Security.

THOMAS MOORE.

FREDERICKSBURG, February 4, 1767

WANTED,
On CHARTER for BRITAIN,
A VESSEL that will carry 250 to 350 Hhds
of Tobacco. Apply to
JOHN GLASSFELL.

THREE TRACTS of

T. GLASCOCK.

THE LAND whereon *Joseph Wyatt*
lives lies in James River County, on Chickahominy River, about
7 Miles above Come's Ferry, with an exceeding good new Dwelling
House. Also a large new Grainary close to the Water Side, and
a Landing opposite to any on the River. A Vessel that carries 300
Barrels may be within 6 Feet of the Bank. Also a new Sugar-House,
Kitchens, and other convenient Houses, and a good Apple Orchard.
The Place is beautifully situated, and is very healthy, and is an ex-
traordinary good Place for Trade. There will be sold also at the
same Time and Place, a Parcel of valuable VIRGINIA hogs-
HEADS, and Pairs of Hens, and Kitchen Furniture, such as
Mahogany Tables and Chairs, a Mahogany Joint-ware, an Eng-
lish Clock, and Horlog, Cattle, &c. also a Chair and Harrow,
and many other Things, for ready Money, or short Credit, as will
be made out that Day, giving Bond and Security.

RICHARD FOWKE.

JOSEPH CALVERT

GEORGE DONA

JOHN PRENT

ABRAHAM WOLMINGTON

now lying at Claiborne's Ferry, house
Liverpool, in the Interest of Mr. John Walker,
fires his Friends will be kind enough to get
Tobacco ready to put on board as soon as possible.
Any other Gentlemen who are inclined to sell
him with Tobacco for that Port and House,
depend on receiving as good Account of Sale
as quick Returns as from any other House in
Britain, according to the Quality of the Tobacco.
N. B. Capt. BANKS will attend all Comers
the District of York River.

young Slaves.

HUGH WALKER.

H. W.

C. CHRISTOPHER CURTIS,

JOHN ROOTES.

ANY Person that wants PLAN or SCANTLING for Houses, may be supplied by applying Mr. HENDON at Mr. WORMLEY's Quarters on Pamunkey River.

1000

OF about One Hundred and Fifteen Tons, double deck'd, cal-
lister for the *West India Trade*, cou'd be launch'd on a
Dry Dock, her Joiners Work complete, alls Masts, Yards,
Any Period suitable to purchase, may apply to Mr. John W.
on the *Western Branch* or the Subscriber.

JOHN GREENWOOD

TWENTY valuable Virginia born SLAVES. These Slaves were formerly advertised to be sold, but the Sale was prevented by a Report being raised, that I had not a good Title to the Slaves. I hereby give Notice to all Persons, who may think they have a Right to any of the above Slaves, to appear at the Day of Sale, make out what Title they have. Twelve Months Credit will be given the Purchaser, on giving Bond and Security as usual, and when a Fifth per Cent. Discount for ready Money, as far as £ 100 5 per Cent. afterward.

JOHN ARISS

MATTHEW JONES

JAMES RAWLIN

WILLIAM RYTO

ABRAHAM SALT

Williamsburg: Printed by William Rind, at the NEW PRINTING-OFFICE, on the main Street, where Joseph Pulett lately kept Tavern. All Persons may be supplied with this GAZETTE at 12/6 per Year. ADVERTISEMENTS of a moderate Length are inserted for 3s. the First Week, and 2s. each Time after: And long Ones in Proportion.