

To the Honorable the Judges of the Circuit  
Court of the District of Columbia for the  
County of Alexandria sitting in Chancery  
your Obedient Mary A Washington widow  
reluctant and executrix of Lawrence A Washington  
deceased late of Ohio County in the State of  
Virginia, that the said Lawrence A Washington  
did or about the 19 day of the May Term 1823  
of this Court did submit unto the said his Bill  
of Complaint to this Court against Barbara  
Washington and Lawrence Lewis acting executrix  
of Genl. George Washington Defendants. thereby  
asking other things setting forth that General  
George Washington died some time in December  
1799 having first duly made his last will  
and testament bearing date 9 day of July  
1799 whereby among other things he devised  
all the real and residue of his estate real  
and personal not before disposed of by  
the said will to be sold by his executrix at  
such time in such manner and in such  
credits of an equal value and satisfactory  
distribution of the specific property could  
not be made without or in their judgment  
should be most conducive to the interests of  
the parties concerned and the moneys arising  
therefrom to be divided into twenty three equal  
parts and applied as following. To William  
A Washington Elizabeth Spotswood Jane Thornton

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and the heirs of John Ashton he gave four  
parts, that is one part to each to Fulcrum Lewis  
George Lewis Robert Lewis Howell Lewis and  
Betty ~~Carter~~ Carter five other parts one to  
each of them to George Stephen Washington  
Lawrence A Washington Harriet Parley and  
the heirs of Jonathan Washington he gave  
four parts one to each of them to Carl in  
Washington and the heirs of Jane Washington  
two parts one to each of them. To Samuel  
Washington Francis Bale and Abigail Hammond  
three parts one to each of them to George Fayette  
Washington Charles A Washington and Maria  
Washington one other part to each a third of  
that part. To Elizabeth P. Lee Martha  
P. Peter and Eleanor P. Lewis three other  
parts one <sup>part</sup> to each of them and to Benbow  
Washington Lawrence Lewis and to his wife  
the grand son of his wife one other third  
part, a third part thereof to each of them  
that of the said Will he appointed his  
wife executrix and the aforesaid William  
A Washington, Barbara Washington, George  
A Washington, Samuel Washington, Lawrence  
Lewis and his wife George W. P. Carter  
executors all of whom, except his said wife  
duly proved the said Will and took upon  
themselves the burden of executing the same  
that in consequence of the aforesaid situation  
of the said executory it was agreed amongst  
them the said executory that the said Benbow

Washington and Lawrence Lewis should have 3:  
the entire management of the estate which they  
conducted. They further state that a considerable  
part of the Western Land which could be devised  
as also other parts of the personal property  
was devised amongst the said devisees in  
specie according to the provisions before mentioned  
and that all the residue of the said estate  
real and personal a small part excepted  
was sold by the two acting executors to the  
said debt but to what amount they do not  
know, they admit that considerable payments  
have been made to them or to those whom  
they represent by the said acting executors  
but they charge that a large sum still  
remains to be distributed which said acting  
executors refuse to pay without the sanction  
of the decree of the Court of Equity by which  
the money due to each of the representative devisees  
shall be ascertained by a circular letter  
addressed to the Complainants by the said  
acting Srs B. Washington and Lawrence  
Lewis appearing, that the said William Stank-  
ington departed this life leaving Robert Beverly  
his son who proved the will and qualified  
according to Law, that Alexander Spotswood  
survived his wife Elizabeth he died leaving  
a will in which he appointed William Fitzhugh  
Spotswood his son who proved the will and  
qualified under it, that Sarah Fitzhugh one of  
the children and wife of Ann Arden survived  
her husband Nicholas Fitzhugh who died having  
made a will and left Henry Fitzhugh her son

4 he qualified under the said Will. That the other  
children of Ann Ashton were Bendant Ashton  
Charles and Nancy Ashton. That the said Bendant  
Charles and Nancy Ashton died in the lifetime  
of their father Bendant Ashton and that the s<sup>d</sup>  
John N Ashton qualified as the agent of the  
s<sup>d</sup> Bendant Ashton. That the s<sup>d</sup> Bendant Ashton  
made a will and died in which will he appointed  
the s<sup>d</sup> John N Ashton agent. who qualified  
according to Law: That Frederick Lewis died  
intestate on whose estate no person hath taken  
letters of administration leaving Charles Lewis  
Robert Lewis Catharine the wife of Henry C  
Lewis Successor the wife of John Fobbs  
Nancy the wife of Thomas Davison and Elizabeth  
the wife of Alexander E Spotswood, That  
Dunbar Lewis is the agent of George Lewis  
during in his life time as appears all his interest  
in the same to the said Bushrod Washburn. That  
the said Amabel Lewis is dead. That the said  
George Washburn is dead and left Lewis  
Washburn now Lewis Todd his son. That Samuel  
Walter Wilman J. and George Washburn are the  
only children of the said George Washburn  
That the said Harriet Purby died leaving  
her husband Andrew Purby and several  
children viz <sup>Ann</sup> Elizabeth Purby, Laura Purby, Mary Purby,  
Bushrod Washington Purby, Andrew Purby and John  
Purby  
That Samuel Washburn J. and J. T. Washburn  
are the only children and heirs of Thomas Washburn  
decd and that the said Samuel Washburn assigned  
over his interest in the estate of the said Genl.  
Washburn to Samuel Seolly. That John S Washburn  
Bushrod Washburn and Mary Lee Humbert  
are the only children and heirs of the s<sup>d</sup> Corbin

Washington that Barbara Washburne & Jane George  
Washburne are the only children and heirs of the  
Jane Washington that Francis Ball who afterwards  
intermarried with Francis Peyton survived  
her husband and died intestate that Peyton  
Ball took out letters of administration on her  
estate that Maria Washburne a female intermarried  
with Capt R. Proctor whom she survived but  
since died leaving two children Charles Long  
and Charles A. Proctor. That the s<sup>r</sup> George D.  
Washburne was duly appointed guardian to the  
s<sup>r</sup> children and is sw. to the said Maria Pro-  
ctor. That the said Samuel D. Washington Esquire  
Washington George S. Washington and Francis  
a Washington are the only children and they  
claim as devisees under the will of Mildred  
Hammond. That the said Mildred Hammond  
who was authorized to dispose of her interest  
in the estate of the said Gen. Geo. Washington  
by will during coverture departed this life  
having first made her will. That the said  
Mildred Hammond departed this life that the  
s<sup>r</sup> Thomas Peter and George Colvert are Trustees  
for the s<sup>r</sup> Elizabeth R. Cherry formerly the wife  
of Thomas Law of all the interest of the said  
Elizabeth in the estate of the s<sup>r</sup> George Washburne  
to which bill the s<sup>r</sup> defendants on the 19 day of  
May 1823 afd duly filed their answer admitting  
everything fact & alleging. That the said Gen. George  
Washington in the s<sup>d</sup> bill named departed this life  
at the time therein mentioned having only made  
a nuncupative his last will and testament. That the  
sw. in the said bill proved the same and took  
upon themselves the burden of its execution. That they  
were empowered by their co-executors to manage the

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affairs of the said estate which they undertook  
and have exclusively conducted. That the Compts  
in the 5<sup>th</sup> bill are the devisees or the representatives  
of the devisees of the residue of the estate of the  
s<sup>d</sup>. George Washington and entitled to claim distributions  
of the same in the manner and proportions stated  
in the 5<sup>th</sup> bill. The partition is admitted in the will  
mentioned of the Western Lands also of other parts  
of the personal property and that the residue of  
the real and personal estate except three hundred  
and seventy three acrs in Nansemond County and  
a house and lot in Alexandria conveyed to them  
by Archibald W. Lean since the death of their  
testator under a contract between their testator and  
said W. Lean and a small tract of land lying  
on difficult run conveyed to them by the assignees  
of John Gill a bankrupt also one share in the  
Cumberland Swamp Company to be sold by them that  
a great proportion of the real and personal estate  
sold not purchased by the said Complainants  
and the sd. debts as will appear by statement  
thereof and the accounts of the sd. Debts exhibited  
as a part of their answer afo. That they have  
in their hands proceeds of the s<sup>d</sup>. real and  
personal estate and sums of money yet to  
collect subject to distribution under the same  
will. but for their own security and that further  
may be done to the s<sup>d</sup>. Compts in the 5<sup>th</sup> bill they have  
declined paying away the same without the sanction  
of a Court of Equity after the sums due to each  
devisee or representative have been ascertained  
They further state that after the sales have been  
made as before mentioned they found upon  
the sum of \$5178<sup>00</sup> being the 23<sup>rd</sup> part of \$119,110.25

as the amount of each whole share which might  
be safely paid to the devisees some of whom purchased  
to a greater amount than that sum, of the estate  
which had been sold some did and others who  
did not purchase at all to the latter class the  
S<sup>r</sup>. Depts. made considerable payments in money to  
some of them money is yet due and from the  
first class balances are due to the estate so as to  
equalize the whole to the standard of the above  
mentioned sum of \$5778<sup>68</sup> being the 23<sup>rd</sup> part of \$119,110.21<sup>as before</sup>  
whereof an account was prepared. That under the order  
of the County Court of Putnam the accounts of the  
S<sup>r</sup>. Depts. have been audited by Alexander Moore  
appointed by the said Court to perform the service  
whose report bearing date the first of Dec. 1811.  
... day of July 1811. ... used the  
second on the 18<sup>th</sup> day of September 1820  
to were returned to the said County Court and were  
there approved and accepted. The payments and  
receipts of money by the S<sup>r</sup>. Depts. since the last  
of the S<sup>r</sup>. report remain still to be settled an acc.  
whereof together with the same orders and reports  
are filed as part of the said answer. The S<sup>r</sup>. Depts.  
acknowledge their S<sup>r</sup>. answer that they assented  
to the S<sup>r</sup>. Compt's a Circular letter advising the  
bringing of a friendly suit as the only means  
of obtaining a final settlement (one of which was  
suggested by the S<sup>r</sup>. Laurence A. Washburn and appointed  
to by part) of the acc. and the residue of the assets  
disposed off amongst those entitled to receive them  
so as to do justice to the devisees and secure to the  
Depts. against future usages or disputes. They admit that  
they are willing to abide by such decree as the Court

may make in the premises and may to be dispensed  
from Oration further shew that afterwards on the  
same 19 day of May 1823 such proceedings were  
thereupon held in this Court by the consent of the  
representations <sup>parties</sup> to the said bill and by the special  
order of this Court as that the s<sup>r</sup> Alex<sup>r</sup>. Moore  
was appointed a special Auditor and Comptroller  
of this Court to take an acct. of an such matter  
of acct. between the parties in any manner touch  
or relating to the execution of the last will of  
Gen George Wemyss the testator in the s<sup>r</sup> bill  
and also named as one mentioned or referred  
to in s<sup>r</sup> Bill and answer or either party <sup>might</sup> ~~shall~~  
or ~~may~~ <sup>might</sup> produce before him and that the said  
Auditor ~~shall~~ <sup>should</sup> in his said report of his proceedings  
in the premises state such acct. or accounts, <sup>should</sup> ~~shall~~  
appear to him from the documents and evidence  
to be laid before him to ascertain the just balances  
or balances claimed by the parties respectively, together  
with his explanation of the grounds and principles  
on which such account or accounts shall have  
been stated and that the s<sup>r</sup> Auditor should  
further report to this Court such special or  
alternative statements of the said matter of acct.  
referred to him as either party <sup>might</sup> suggest  
or as he <sup>might</sup> ~~may~~ deem proper to illustrate any matter  
in dispute, and that the said Auditor ~~should~~ <sup>should</sup>  
be further authorized and required to take and  
report the depositions of such witnesses as either  
party might produce before him going to the parties  
respectively or to their representatives respectively  
whenever reasonable notice of his proceedings  
in the premises; and by like consent it was further  
ordered that general Comptroller for the examination



may make in the premises and may to be done  
Your Orator further shews that afterwards on the  
same 19 day of May 1823 such proceedings were  
thereupon had in this Court by the consent of the  
representations <sup>parties</sup> to the said bill and by the special  
order of this Court as that the s<sup>r</sup> Alex. Moore  
was appointed a special Auditor and Comptroller  
of this Court to take an acct. of an such matter  
of acct. between the parties in any manner touch-  
ing or relating to the execution of the last will of  
Gen George Wemyss the testator in the s<sup>d</sup> bill  
and also named as one mentioned or referred  
to in s<sup>d</sup> Bill and answer as either party <sup>should</sup>  
or ~~might~~ <sup>might</sup> produce before him and that the said  
Auditor ~~should~~ <sup>should</sup> in his said report of his proceedings  
in the premises state such acct. or accounts, <sup>should</sup>  
appear to him from the documents and evidence  
to be laid before him to ascertain the just balance  
or balances claimed by the parties respectively, together  
with his explanations of the grounds and principles  
on which such account or accounts shall have  
been stated and that the s<sup>d</sup> Auditor should  
further report to this Court such special or  
alternative statements of the said matter of acct.  
referred to him as either party <sup>might</sup> suggest  
or as he <sup>might</sup> deem proper to illustrate any matter  
in dispute, and that the said Auditor <sup>should</sup>  
be further authorized and required to take and  
report the depositions of such witnesses as either  
party might produce before him giving to the parties  
respectively or to their ~~representations~~ <sup>representations</sup> respective  
such a reasonable notice of his proceedings  
in the premises; and by like consent it was further  
ordered that general Comptroling for the examination

of witnesses be issued at the request of any of the  
parties or their respective solicitors directed to any  
two Justices of the Peace in the United States and  
by like consent the cause was set for final hearing  
at the next session of the Court (to wit at the  
New Term 1823) upon the bill and answer. The  
report to be made by the said Auditor and the  
documents and evidence to be returned with the  
same and upon such exceptions to the same or either  
party should within thirty days after the return  
of such report file in the cause; and upon such  
exceptions ~~exceptions~~ <sup>discrepancies</sup> to the same and evidence as  
might be duly taken before the November Term  
aforesaid under the Commission filed in the s.<sup>d</sup>  
Cause all exceptions to the Auditor's Report or to the  
evidence produced on either side were to be argued  
and determined at the final hearing all of which  
were now put off and at large appear from the  
s.<sup>d</sup> bill and answer and the several exhibits  
therein referred to and the proceedings thereupon in  
the Court; to all which your Orator for quarters certainly  
refer and pray that all and singular the same  
may be taken and referred to as part of this bill.  
And your Orator further shews that the s.<sup>d</sup>  
Chas. Noble in pursuance and execution of the  
authority commmentated to him by the s.<sup>d</sup> order  
has proceeded to examine and state the accounts  
of the respective parties aforesaid and has made con-  
siderable progress towards the completion of an  
acct. and report as directed by the s.<sup>d</sup> interlocutory  
order; But so it is may it please your Honors  
that before any other proceedings were had in the  
said cause the s.<sup>d</sup> Laurence & W. Wrighton died  
whereby the said suit and proceedings became a bar

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since whose death your Orator as Int<sup>r</sup> under his will  
has tattered upon himself the brother of the same  
well knowing only qualified according to Law under  
the same in the County of Ohio and State of Virginia  
by virtue whereof your Orator is become entitled  
to the personal estate of the s<sup>r</sup> Camp Washburn  
deceased, In the case therefore that the s<sup>r</sup> Bondman  
is so abated as a<sup>d</sup> may stand revived against  
the s<sup>r</sup> Deft<sup>s</sup> and that your Orator as Int<sup>r</sup> may be  
in the same plight state and condition as the same  
were in at the time of the abatement thereof May  
it please your Honors to grant to your Orator  
the Writhe Staty<sup>r</sup> most gracious Abol<sup>r</sup> of Subpo<sup>a</sup>  
recovery the said cause to be admitted to the  
s<sup>r</sup> Deft<sup>s</sup> thereby commanding ~~the~~ <sup>them</sup> ~~to~~ <sup>appear</sup> personally at a  
certain day and under pain thereof to be committed  
personally to be and appear before your Honors  
in this Court then and there to shew cause if  
they can, why the said proceedings so abated by  
a<sup>d</sup> assaid should not be revived and be in  
the same plight state and condition as the  
same were in at the time of the abatement  
thereof and your Orator be further relieved

Mary D. Washington  
Exhibitor of Luncheon  
at Washington d. c.  
v.

Bethesda Washington  
and Laurence Lewis  
Ex. of Gen George  
Washington  
Bld of Rivin