

A Guide to the Walter Jones Papers, 1846-1850

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History

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Descriptive Summary

Accession number

37463

Language

English

Physical Characteristics

23 leaves

Physical Location

Personal papers collection, Acc. 37463

Repository

Library of Virginia

Administrative Information

Access Restrictions

There are no restrictions.

Use Restrictions

There are no restrictions.

Acquisition Information

Purchased 16 March 2000.

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Biographical/Historical Information

Walter Jones (1776-1861) of Virginia was the son of Dr. Walter Jones and Ailsie Flood. After studying law under Bushrod Washington, Walter Jones was admitted to the bar in 1796. In 1802 President Thomas Jefferson appointed him the United States attorney for the District of Columbia, an office which he held until 1821. He also was a major general in the District of Columbia militia, and during the War of 1812 he took part in the Battle of Bladensburg. Jones gained a national reputation for the prominent part he took in the celebrated Girard will case, the Myra Clark Gaines case, McCullough vs. Maryland, the Randolph will case, Chesapeake and Ohio Canal Company vs. Baltimore and Ohio Railroad Company, and John Randall vs. Chesapeake and Delaware Canal Company. He was married in 1808 to Anne Lucinda and with her had three sons and eleven daughters. Upon his death in Washington, D.C., he was buried in the Congressional Cemetery.

William Hayward Foote (1781-1846) inherited "Hayfield" from his aunt and adopted mother Elizabeth Foote. Hayfield plantation was a 360 acre portion of the Mount Vernon estate acquired by Elizabeth Foote's husband, Lund Washington, from George Washington after the Revolutionary War. William Foote prospered as Hayfield's proprietor and in his will bequeathed the estate and all his property to his wife of 15 years, Mary Marshall Scott Foote. After his death the executors of the will led by Francis L. Smith contested William Foote's heirs' entitlement. In his will he had bequeathed everything to his wife "for as long as she remains my widow or for life... if, however, she should cease to be my widow or marry again, she must account for all these things and take her dower at law... It is not my purpose to give any Cur a Sop."

Scope and Content Information

Papers, 1846-1850, including correspondence concerning the will of William Hayward Foote (1781-1846) of Hayfield, Fairfax County, Virginia and the law suit filed following his death between his heirs and his executors. Includes letter (3 leaves), 26 April, from Walter Jones (1776-1861), Esquire, to William H. Foote asking for a detailed account of his real estate and personal property to be included in Jones' draft of Foote's will. Letter (7 leaves), Dec. 1846, from Walter Jones to Francis L. Smith (1808-1877), Esquire, in Alexandria, Virginia answering four questions asked by Smith concerning the powers of Foote's heirs and executors to sell his personal property and real estate. Another undated letter (2 leaves) from Smith to Jones contains the questions that Jones answers in the December 1846 letter. Legal answer (7 leaves), 10 March 1847, written by Walter Jones outlining his opinions on questions concerning the interpretation of Foote's will, specifically the personal property and real estate entitlements of Foote's widow, the emancipation of his slaves, and the sale of his crops. Also contains payment receipts (3 leaves): one receipt, 27 May 1850, payable to Dr. James Hunter for his services resurveying Hayfield plantation for the suit of Foote's heirs versus Foote's executors; one receipt, 5 Dec. 1850, payable to Francis L. Smith for the balance standing for the sale of Hayfield; and one receipt, 11 May 1848, signed by Walter Jones and claiming from Francis L. Smith an amount of fifty dollars paid for a draft of an answer to the bill of Foote's heirs versus Foote's executors.