

Legislative Petition by Robert and William Shanks

5 Dec 1820

Petitioner: Shanks, Robert & William

Locality: Chesterfield County

Description: Natives of Ireland and nephews of William Shanks who died intestate in Sept. 1816 ask for a law releasing to petitioners the Commonwealth's right to a tract of land in Nansemond Co. and a house and lot in Blandford. Includes declaration of citizenship.

[From the Library of Virginia catalog]

To the Honourable General Assembly of the Commonwealth of Virginia,

The humble petition of Robert Shanks and William Shanks, natives of that part of the United Kingdoms of Great Britain and Ireland which is called Ireland, most respectfully sheweth that they are the nephews of the late William Shanks, formerly of Nansemond County, deceased, who several years ago resided and carried on business as a merchant for many years both in the town of Petersburg and that of Manchester,

That the said William Shanks, the uncle of your petitioners, departed this life intestate in the month of September 1816, without [having] been ever married, seized and possessed of a tract of land in Nansemond County and of a house and lot in Blandford in the Corporation of Petersburg,

That your petitioners are his next of kin; indeed his only relatives in the United States of America,

That they have migrated into this country for the purpose of permanently settling themselves therein and have in due conformity to the Requisition of the Acts of Congress on that subject declared their intentions of becoming citizens of the United States as soon as by law they can,

That they arrived at Petersburg on the 21st of August 1817 and on the very next day made those declarations which are recorded in the Hustings Court of Petersburg, an authenticated copy of the record thereof herewith exhibited, proves this fact,

That your petitioners are mechanics and your petitioner Robert has a family, consisting of a wife and three children,

That they were induced to migrate to the United States not only by the strong predilection which they felt in common with a vast majority of their countrymen, the people of Ireland, for the excellent government and free institutions of the said United States as much more promotive of happiness than those of any other country on Earth; but also by the prospects held forth and the invitations contained in the letters from their said uncle to their father James Shanks who, being old, and consequently in some degree infirm, still continues to reside in Ireland;

That from the correspondence between their said uncle and father they have not the least doubt that their uncle would have provided for them as handsomely as he could, and especially that he would have given them his real estate between them, that such were the prospects he held out to their father in his correspondence, and they do most conscientiously believe that if he made a will he would have devised to them his real estate;

But though he intended to make a will yet he for a considerable time during his last illness did not believe his life to be in any danger, and he neglected to make one till it was too late; that at last he sent for a friend to write his will, who did not come for a considerable time after he was sent for, and when he arrived at the house of the said William Shanks to write it, the latter was incapable of communicating his intention or wishes;

That your petitioners are confirmed in this belief not only from the circumstances already detailed, but also because their brother John Shanks resided for some time with their uncle near Hampton, and to him their said uncle was most affectionate and kind; and his affectionate feelings towards him were greatly increased by the intrepidity and valour displayed by him the said John Shanks in repelling the attack made by the British on Hampton during the late war,

That their brother John having come to this country with the same predilection for the United States that they came with, though he had not resided in it long enough to become a citizen, yet fought in its defence and hazarded his life with as much bravery and zeal as any of the natives and that he suffered in common with the people of Hampton, for the enemy plundered him of all his little property; but that their brother John died without issue some time before their uncle.

They hope to be forgiven for mentioning this circumstance as merely confirmatory of the attachment of their family to the people, government, and institutions of the United States.

Your petitioners beg leave further to state that from the benevolence and liberality which they are informed and believe have always so honourably distinguished the Legislators of Virginia in their public conduct to friendly foreigners

migrating to this country with intention to become permanent citizens thereof, and having relatives therein who died seized and possessed of lands and had no issue, they were induced to hope that your honourable body would relinquish to them the title of the Commonwealth to the said tract of land and house and lot.

Your petitioners further represent that the said William Shanks, though he had become a citizen of the United States, yet having no relative therein, and all his relations being in Ireland and aliens of course, his lands are supposed to have escheated to the Commonwealth or liable to become so;

That accordingly the escheator of Nansemond County and a jury have found and returned an inquisition to the Superior Court of Law of the County of Nansemond at October term 1819 purposing that the land has so escheated in order that the same may be proceeded in according to law,

Your petitioners therefore humbly pray that your honourable body would be pleased to pass a law to release to your petitioners the right of the Commonwealth to the said tract of land in Nansemond County and house and lot in Blandford and to vest the fee simples title in them as soon as they shall become citizens according to their recorded declarations, they being willing and ready to pay any just debts which their said uncle owed at the time of his death, and as in duty bound they shall ever pray,

Robert Shanks

William Shanks