

**WHITE ACRE VS.  
BLACK ACRE: A  
CASE AT LAW**

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White Acre Vs. Black Acre: A Case at Law by William MacCreary Burwell

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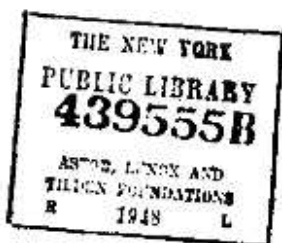
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**WILLIAM MACCREARY BURWELL**

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Entered according to the Act of Congress, in the year 1886, by  
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in the Clerk's Office of the District Court of the Eastern Dis-  
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TO THE  
HISTORICAL SOCIETY OF VIRGINIA.

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*"A MS. of the Reign of Queen Anne?"*  
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Who but an antiquarian can appreciate the magic of that phrase? He gazes upon its yellow pages and jet black letters with as much ardour as a Japanese lover upon the gamboge beauties and ebony teeth of his mistress. He listens with delighted interest to the narration of its preservation and recovery. He can well imagine the careful application with which the author prepared his

Seven Gables Feb 5, 1948

R V P L

record of facts for posterity. He sympathizes with children who, through long years of poverty, keep the old book as a relic of him who wrote it, or only rescue it from the demands of inexorable need, because of its total want of current value. Year after year the MS. is habitually placed with the wasted and worn remnants of declining fortunes. Children, whose only inheritance is a trace of better blood and breeding, mark rude figures upon its pages, or growing older, write stealthily love initials at which they blush—frown—sigh—smile—and ultimately view with as much indifference as any other part of the old manuscript. Youthful suitors, spruce in their rustic finery, puzzle over its quaint phraseology on listless Sabbaths; or, proud of their own scholastic acquirements, criticise its chirographical abbreviations, as proofs of the writers ig-

norance. Ask those who hold it what it means and they only know it as "the old book that has crossed the sea."

Then laborious though unlettered sons-in-law write upon its blank spaces memoranda of "colts foaldd" or "produce sold." Then the old MS. lies for years in chests or closets surrounded with ignoble associations, but holding within its bosom facts more and more valuable as each year adds a deeper and more venerable tinge to its surface or brings out its trusty letters in more indelible inscription. There it lies, the metal in the mine, wondering how long before the heedless footsteps which echo above it will learn the value of the treasures which slumber so near them.

But the MS. like the mine must be discovered. Some day an old man who



has discarded children and driven away friends will find one creditor who will not accept the current coin of the realm as a lawful tender. His "body will be taken in execution" in spite of the *nummos in arca*. When this rich miser dies, pedigrees become a subject of anxious study. Lawyers write learned opinions about *per stirpem* and *per capita*, of which the substantial clients who pay fees understand nothing, except the final phrase which tells them they "are" or "are not" entitled to an interest in the miser's estate. The disinterested public applies the rule of arithmetical progression to the inheritance, and it doubles from month to month, like the sum of the horse shoe nails. The fractional dividends of the more remote of kin are computed to a farthing, and estates are bestowed or expectations extinguished, with more than

judicial dogmatism by this areopagus of the vicinage.

The reverberation of wealth awakens the distant heir residing in remote states.

Letters of attorney gleaming with red wax, flaunting with narrow blue ribbon, and flourishing with official signatures, come duly authenticated. The more suspicious heir comes with saddlebags and leggings to see for himself. The inheritance is magnified incredibly by the powerful lens of distance, rumour, and the gratuitous whiskey of wayside hosts. Then administrators, vigilant of commissions, cause long sleeping judgments against improvident and abscondent heirs, to be jogged by the *scire facias*, and they awake like giants refreshed and ravening from their slumbers. They make common cause with the elegant letters of attorney, and, with the leggins and whiskey, are ready to tear into minute frag-

ments in a moment that repast which it has taken half a century of parsimony to prepare. Then neighbors value, in an inventory with great accuracy, every article of property, regaling themselves with a little old liquor, which the intestate had grown too stingy to drink himself, as well as with the most discreditable anecdotes of his memoirs. They value an old volume of Guthrie's geography, a few old volumes of Dilworth and Murray as "one lot of old books, each 2s." They throw in papers, pamphlets and circulars of old political wars. Some one who feels a general interest in old writings, finds amongst the papers an old MS., written in a plain style and in a distinct hand. He transmits it to those who appreciate its importance. The old MS. surrenders to the proclamation of the press, the facts kept through long years of obscurity. Henceforth it