Petition of Richard Brooke & James Tutt humbly Sheweth that Colonel Fielding Lewis being empowered to contract for the building of a Magazine on the Gun factory lot of Fredericksburg, engaged your Petitioners to build a house for that purpose agreeable to a plan then approved of, and herewith submitted,¹ that your Petitioner's having been frequently employed by Colonel Lewis in work of similar kind, and having as often experienced his punctuality and integrity, thought even the usual precaution of a written agreement unnecessary, but conceived themselves sufficiently secure in a very summary oral one in which the only material stipulation was that the house should be built of Stone at the price generally given for brick work, that a short time before the building was finished Colonel Lewis (being indisposed) removed to a distant part of the country and not finding the relief which he expected from a change of air was unable to return to his former place of residence & after a doubtful illness died, that this incident prevented your Petitioners from obtaining such vouchers as would have placed their claim in the most eligible point of view and obliges them now to look up to you for relief. An examination of their account with a reference to Colonel Lewis's books it is hoped will sufficiently evince the House of the balance of their favor and establish the justice of their claim. They therefore hope your Honorable House will take their case into consideration and grant them such compensation for their labor as unto you shall seem just, and they as in duty bound will ever pray.

¹ The plan is not among the papers in this file
To the Honorable the Speaker and Gentlemen of the House of Delegates the Petition of Richard Brooke and James Tutt Sheweth

That your Petitioners in the year A.D. 1776 were employed Fielding Lewis one of the commissioners for establishing a Manufactory of Arms at Fredericksburg, to Build a Magazine on the lot purchased for that purpose adjacent to the Town. That your Petitioners not doubting that Colonel Lewis was properly authorized to contract for the Public and having frequently experienced his integrity and punctuality when employed by him in his private capacity on this occasion thought even the usual precaution of a written Agreement unnecessary but relied on a very concise parol one in this it was only Stipulated on their part that the House should be erected of Stone agreeably to the plan proposed at the price which was then given for brick work and on the part of Colonel Lewis that all the planks, Shingles, Nails, Locks, Hinges, oil, paint and Glass Should be furnished by the Public. That your Petitioners in consequence of this Agreement proceeded to perform not only what was stipulated on their part but after having Sustained much injury by the delay occasioned from frequent disappointments in the Articles to have been furnished by the Public, they in order to prevent further loss and forward the Building then much wanted, were obliged to advance considerable sums to purchase the materials that were occasionally necessary as will appear by the Account Annexed and your Petitioners further show that before the building was completed, Colonel Lewis' ill State of Health induced him to move to a distant part of the Country, where after lingering a Short time he died that by this incident they had been prevented from affecting a settlement of their claim and obtaining that compensation for their Services to which they think themselves justly entitled and are now compelled to petition your Honorable House for Relief. That your Petitioner's principally depending on their own Industry and exertions for the support of themselves and Families have already Suffered great inconveniency from the detention of a Sum in attempting to Acquire which so much of their labor has been devoted and are now only relievable by the intervention of your House to whose justice they appeal and they as in duty bound will ever pray.

S/ Rd. Brooke
S/ James Tutt

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2 this document is not included among the documents in this file