

D.C. Wirt Esqre.

On my return from a visit to a married daughter in Kentucky I found yours of 11th -----(note month is unreadable).

The war has thrown impediments in the way of our suit, I fear of an insurmountable charcter. It was instituted, of course, in the county in which Angus McDonald lived Viz Frederick County, Va. The land lies in Hampshire County, which now is in another State, West Virginia, over which the Circuit Court of Frederick County has no jurisdiction.

The decree cannot be executed, nor enforced. If this were not so, there would be great delay, from another cause; Mr. McDonald is dead, leaving 16 children! Scattered everywhere I know not where. Their property in Winchester was utterly destroyed. There has been no Circuit Court in Winchester, as yet; but I suppose there will be a proforma term, this fall.

As soon as matters settle down I will write to you again.

Jefferson County has been seized on by West Virginia, and we are struggling to get back to Old Virginia.

All the members of the bar living in this county, and all of the citizens of the County, except a corporal's squad at Shepherdstown and Harper's Ferry, are outlaws, under the test oath of West Virginia. It is necessary to take an oath that we have not acted, or assisted, or comforted the rebels since the commencement of the war, or, I believe, sympathised with them, or we cannot appear in Court, as counsel, or hold office, or vote, or institute suits agt our debtors, nor qualify as Executor or Admtr. To make ourselves good citizens, it is necessary to begin with perjury.

Quamdiu! Quamdiu!!

Quamdiu (so long as)

One gentleman, an M.D., was elected a magistrate, and was coaxed into taking the oath of office- He was indicted for perjury, next day.

I have lost not less than twenty thousand dollars besides lots of servants by the war. My place has not a rail on it, except around my house and garden- all burnt by the Federal Troops, and not a stick of timber. I have had eight horses taken off, and hogs & my law library was taken off from my office in CharlesTown-a mile from my house in the country-thirteen servants etc etc etc I hope you have not suffered so much.

Yours Resp^d Edwin E. Cooke.