

MVB to [Benjamin Birdsall et al.], 28 July 1811

Gentlemen,

You request me to express to you my Impressions on the subject of the Title of the Livingston Family to the lands you possess and your associates possess, those of you with whom I am acquainted I am persuaded must be sensible of the delicacy of my situation in complying with ~~my~~ ^{your} wishes most controversies which are to undergo the ordeal of legal scrutiny must at all times be doubtfull, and in a controversy of such magnitude as yours ^{of} which will excite so much agitation there will exist abundant motive ~~and which probably will have to~~ misrepresent the views & motives of ~~any~~ ^{every} person who shall engage in the contest and which probably will be indulged in whether cause from such misrepresentations shall be found to exist or not. Fully aware ^{to} of the unpleasantness of my situation in this respect, the ^{my} regret ^{I feel} at the distressing tenure by which you hold the lands you improve and ~~the~~ my entire conviction of the Justice of your cause induces on my part a compliance with your wishes.

On Examination at the office of the Secretary of State I find that Mr Robert Livingston in the year 1684 obtained from the Governor of The Colony of Newyork a pattent for two hundred acres of land lying on the east side of the Hudson River stretching from Warvanaquasick to the south Boundary of ~~the~~ what is now called the Manor of Livingston together with eighteen hundred acres of Wood land ~~aj~~ adjoining thereto easterly. That in the following year he obtained from the same source a pattent for the Taccaunick Flats by metes & Bounds to contain 300 morgan or six hundred acres of land, including in both grants the quantity of 2600 acres ~~of land~~. That in the year 1715 with a ^{the professed} view of erecting the said tract into a manor or Lordship he applyed to the same Goverment for a confirmation of his ~~pr~~ two preceeding pattents & for a grant of the privileges of holding Courts ~~&c.~~ [&] other privileges ^{usually attached to similar grants,} that on his prayer a pattent of confirmation was granted in which last pattent, the two first tracts are represented as laying adjoining each other and including in its exterior Bounds all that tract of Country which is now included in what is called ~~hold~~ & ~~de~~ the manor of Livingston, this last pattent purporting to be an act of Confirmation of his preceeding grants. Without additional consideration and bearing upon the face of it a palpable

falsehood, although it contains granting words cannot in my Estimation, be even be considered as conferring ^vesting^ any title to ^in^ the pattenree and in this point of view I am informd ~~it was always~~ by the Counsel who in a former controversy between you & the heirs of the pattenree was employed by you it was always considered, and that so far was the correctness of this position assented to by your opponents, that this last grant was never produced by them on the former trials.

If then in this we are correct & the confirmation of 1715 confers no title it necessarily results that to all the lands not included in the 2600 acres they have not now nor ever had any title from Government.

Their possession and the long acquiescence in their claim although it makes a good title between them and the Individuals in possession will not nor can it in my Judgment affect the rights of the State.

On the whole therefore I have no hesitation in expressing it as my deliberate opinion that these lands in law and of right belong to the State, but whether the legislature will *<seems>* as the Guardian of the Interests of the people will think it Just, politic, or expedient to exercise the right which is vested in them it is impossible that I should know. That must depend on their Wisdom and Integrity and ^on^ which it would be improper for me to express an opinion

With Sentiments of Respect

& Esteem I remain your

Friend & hble Servt.

MVBuren

Dr Letter to the

Manor Committee

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