

The Newsletter of Virginia's Circuit Court Records Preservation Program ■ No. 9 ■ Winter 2020

CCRP NEWS



LIBRARY OF VIRGINIA



**Virginia's Historic Courthouses and the Library of Virginia:
Washington County Courthouse and the Civil War**

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This newsletter is published twice a year to keep circuit court clerks informed about the court records preservation program for the Commonwealth of Virginia. Reader participation is invited.

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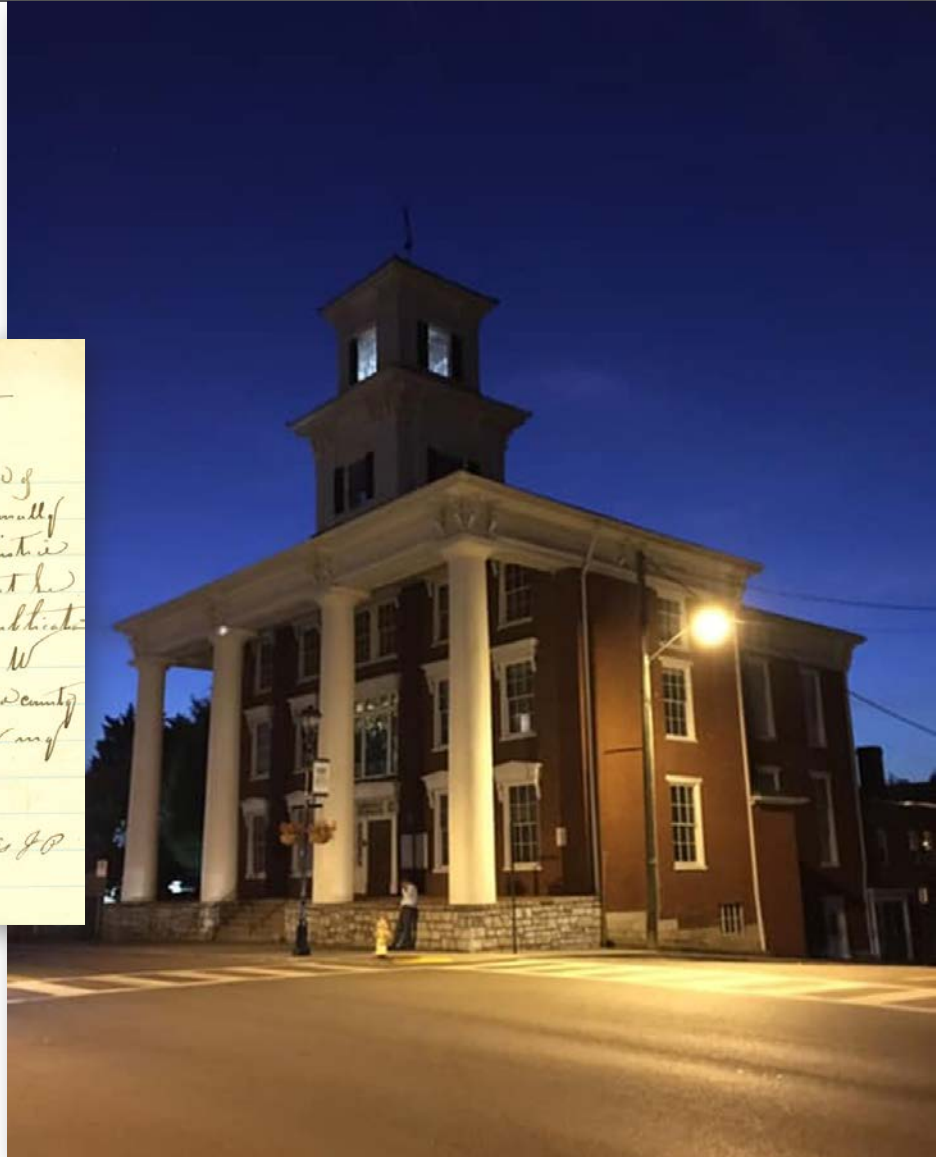
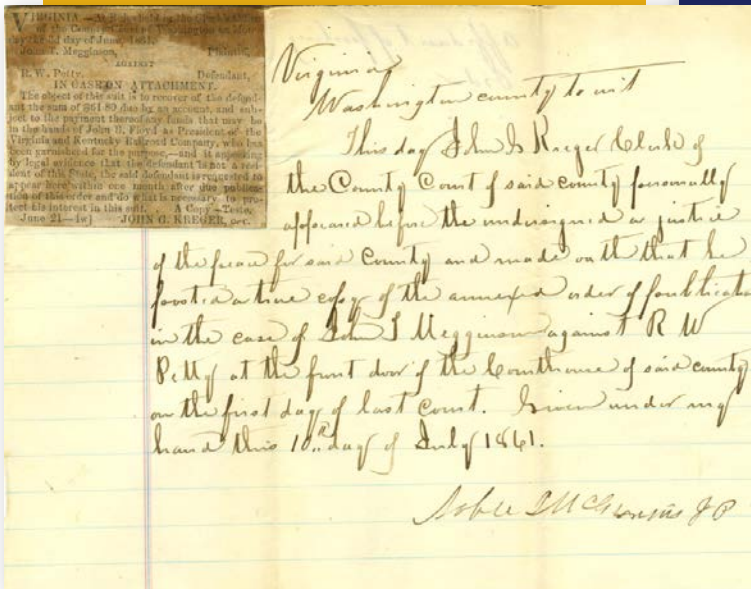
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Washington County Courthouse, October 31, 2018 (cover). "Washington Co. Court House, Abingdon, Va.," postcard, postmarked 1924, sometime after the Confederate memorial was moved to the green on the far side of the courthouse (top). Order of publication from Washington County, John T. Megginson vs. R. W. Petty, Judgment, July 10, 1861 (page 3, middle). Washington County Courthouse, September 10, 2019 (page 3, right). "New Courthouse at Abingdon," *Bristol News*, Volume 4, Number 8, October 2, 1868 (page 3, bottom). Images from: Visual Studies Collection, Local Government Records Collection, and the Virginia Newspaper Project, all at the Library of Virginia.

Virginia's Historic Courthouses and the Library of Virginia: Washington County Courthouse and the Civil War

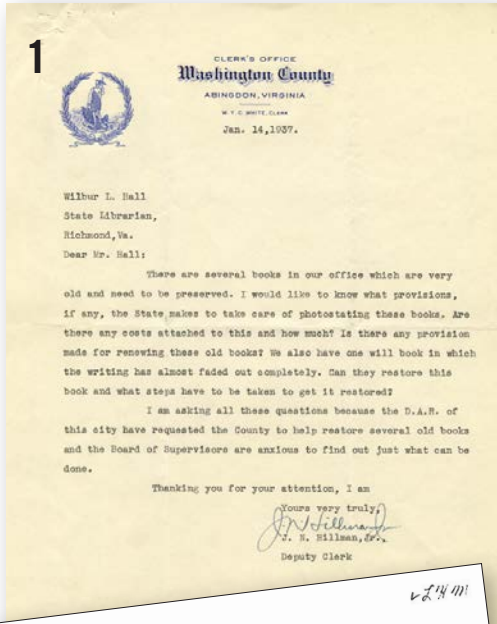
Washington County was formed in 1776 from Fincastle County, with part of Montgomery County being added later. The iconic, current 1868 courthouse on Courthouse Hill on Main Street in Abingdon is purportedly the fourth courthouse building to serve Washington County.



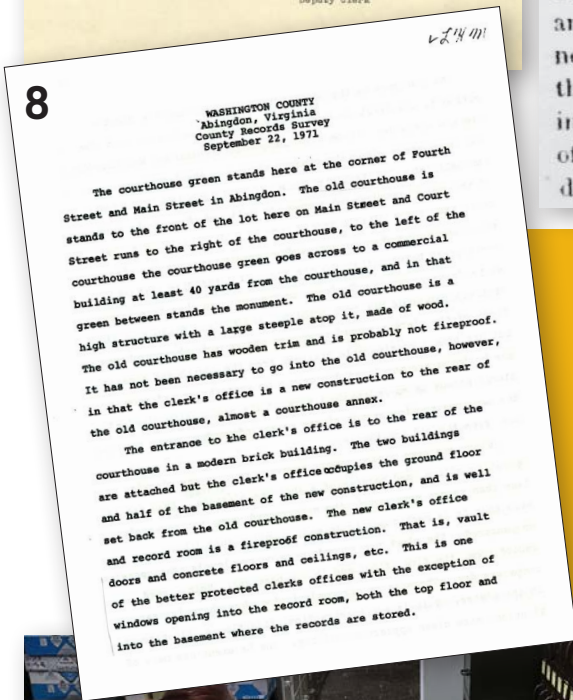
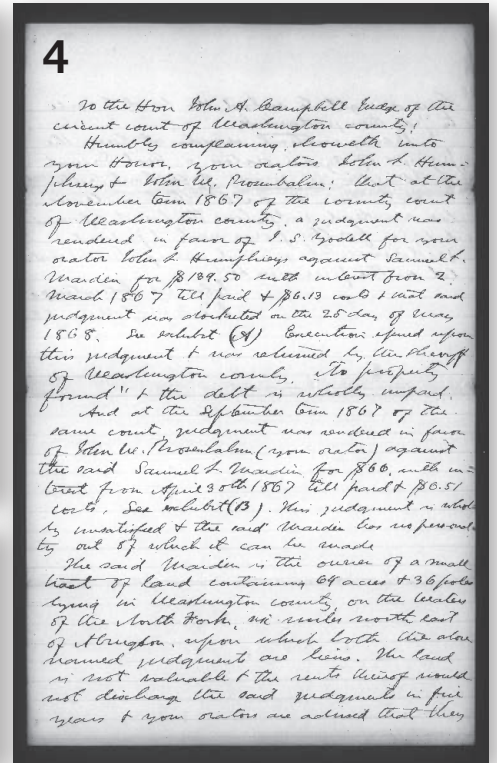
Many people think that the historic Washington County Courthouse is famous because of the current circuit court clerk, Tricia Moore. Knowing the Honorable Ms. Moore, it is an easy assumption to make. However, some believe that the courthouse has an even more intriguing claim to fame. The Washington County Courthouse in Abingdon, Virginia, was burned to the ground during General George Stoneman's raid in 1864, and, with it, numerous books and loose records were lost. The incident was unusual, however, in that the fire was started by Washington County resident James B. Wyatt of the 13th (U.S.) Tennessee Cavalry, who sought revenge for his treatment by a county court justice prior to the war. Some versions of the incident have Wyatt climbing to the top of the courthouse cupola to set it ablaze. However, all versions have Wyatt shot dead at the corner of Church and Water Streets as he rode out of town. The courthouse was rebuilt in 1868 and is the only Reconstruction-era courthouse in Virginia.

New Courthouse at Abingdon.—The October court will be held in the new Court house at Abingdon, which is said to be the finest structure of the kind in Virginia.

It will be remembered that the old building was burned by Stoneman and raiders in sixty-four.



The Yankees did not remain long, and are reported to have left for East Tennessee. At Abingdon, we understand they destroyed two entire blocks of buildings, including the courthouse and jail, office of the *Virginian*, and private residences, besides the railroad buildings. 3



The Library of Virginia's institutional archives can trace its conservation partnership with the Washington County Circuit Court clerk's office back to a 1910s-era inventory of the collection performed by the State Archivist at the time, Morgan P. Robinson. Since then, the Library has been involved in providing other inventories, conservation/preservation advice, online access to chancery records (1849–1913), on-site processing instruction and oversight for interns, CCRP grant assistance, and security and storage for hundreds of cubic feet of loose court records and volumes. Since the CCRP program began in 1992, the Washington County Circuit Court clerk's office has been awarded over \$218,000 in grants.



1. Letter from J. N. Hillman, Jr., Washington County deputy clerk to Wilbur L. Hall, Virginia State Librarian, January 14, 1937, informing Hall that he had several books in his office "which are very old and need to be preserved." 2. Washington County Courthouse, circa 1960s. 3. "The War News," *Daily Dispatch*, Volume 27, Number 155, December 29, 1864. 4. Scanned bill of complaint in Washington County, John W. Rosenbalm, etc. vs. Samuel L. Maiden from the online Chancery Records Index (1871-008). 5. Washington County Circuit court clerk Tricia Moore, Library of Virginia conservator Leslie Courtois, and CCRP/Local Records program manager Greg Crawford discuss environmental issues in the records room of the Washington County circuit court clerk's office records room, March 22, 2017. 6. Washington County Courthouse, ca. 1910s (before the Confederate memorial was moved to the side). 7. University of Virginia College at Wise history major and student intern Georgia Horne processes loose records in the Washington County circuit court clerk's office, June 13, 2018. 8. Survey of Washington County circuit court clerk's office by Virginia State Library archivist Connis Brown, September 22, 1971. (Images from: Visual Studies Collection, Local Government Records Collection, and the Virginia Newspaper Project, all at the Library of Virginia.)

THE WELL-WORN BOOK

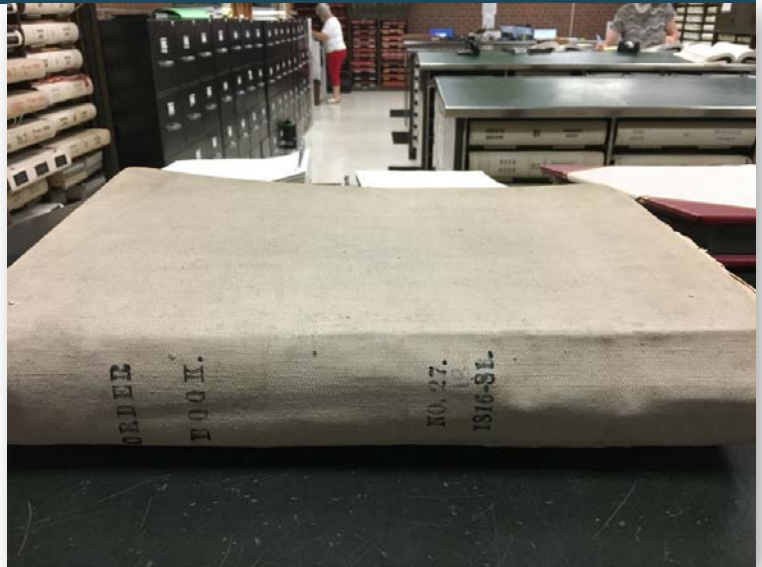
In past issues of the *CCRP News* we have attempted to outline the various common conservation issues that we see in the records rooms of circuit court clerks' offices across the commonwealth of Virginia. As mentioned in past issues, we often find ourselves attempting to fix discredited conservation methods of the past, such as modern or cellulose acetate lamination, volumes that have been "stripped with tape," the Emery Silk process, or deteriorating plat sleeves—all problems that have been covered in previous articles.

We find these problems everywhere, but sometimes there is a regional commonality to these methods. The itinerant modern laminators seemed to prefer to work the western part of the state, and as a result we find many of those issues there. Because William J. Barrow's conservation shop had locations in Newport News and Richmond, we see the heaviest concentration of cellulose acetate laminated documents in eastern and central Virginia. The Emery Silk process was expensive, and, more often than not, we find those items in metropolitan areas with the financial wherewithal for the conservation method, which was performed in Boston. Books that have been stripped with tape are hit-and-miss; a records room is either crawling with these volumes or there are few or none. Finally, deteriorating plastic plat sleeves can be anywhere that a vendor persuaded a clerk to encapsulate their plats for a hanging plat rack, cabinet, or book.

One conservation malady that we see in every records room, however, regardless of region, persuasive vendor, or financial wherewithal, is the plain old well-worn book. The issues found in these aging and deteriorating court record volumes are usually the result of overuse or poor handling, poor storage conditions, or poor environmental conditions. A volume may have one particular problem or a combination of issues.

Overuse or poor handling of volumes can cause chipped edges and torn pages, which can ultimately lead to losses of portions of pages (and information). This can also cause pages and signatures to become loose and/or detached from the volume and sometimes lost. We have all seen what happens when the sewing and, eventually, the text block become loose or fragmented. Overuse and poor handling can also cause the spines and boards of the volumes to become loose and detached and possibly lost. Unfortunately, when volumes begin to fall apart, we sometimes find creative homemade emergency conservation solutions performed with pressure-sensitive (Scotch) tape, linen tape, and even duct tape. These are another form of "conservation" that will eventually need to be undone.

Poor storage conditions can contribute to some of the above, especially where the spine, boards, and text block are concerned. Large court record books were never intended to be stored upright, which can cause gravity to pull them apart. Improper storage and



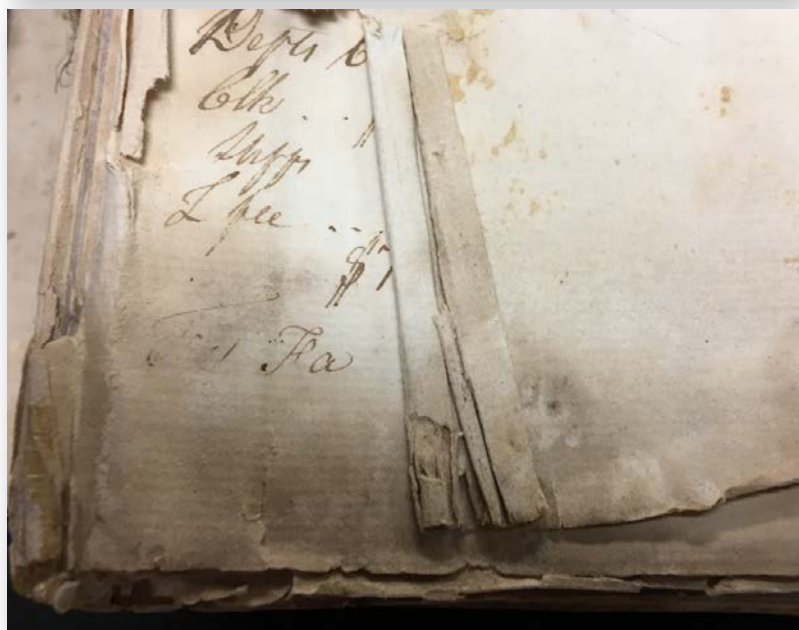
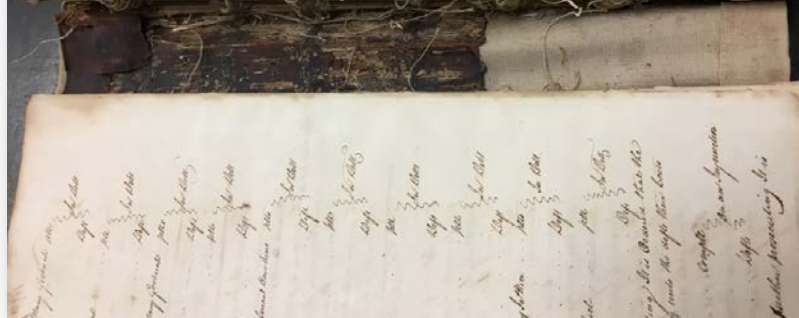
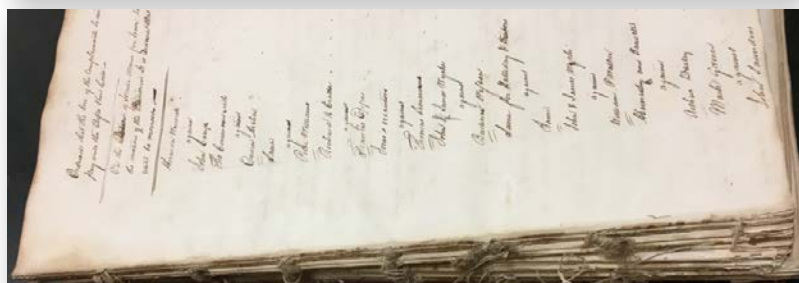
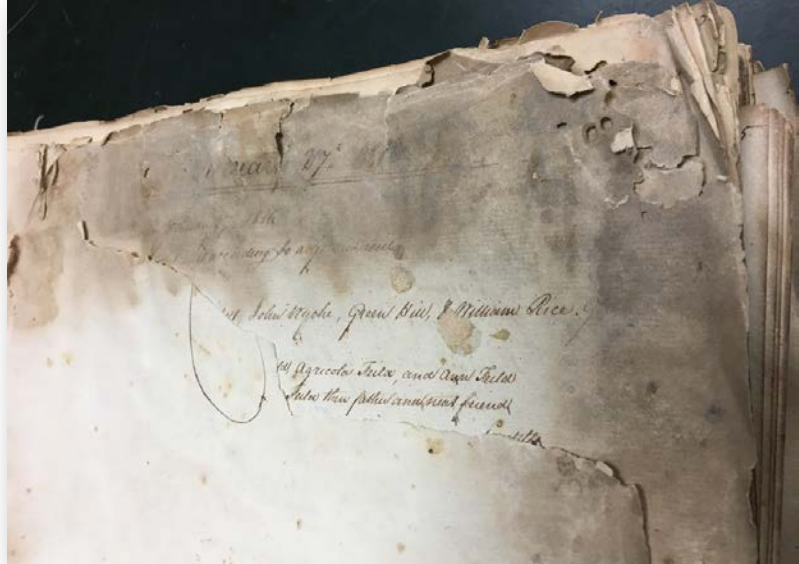
stacking arrangements can often lead to crumpled or cockled pages, plats, or other documents. Sometimes we find the overflow storage for court records in basements, closets, and evidence rooms, which are not usually the most environmentally friendly areas. In unmonitored areas like these we have found volumes stuck to the floor.

Poor environmental conditions usually involve temperature and humidity, which can have devastating effects on records, especially in the extremes. This can be even worse if the temperature and humidity are fluctuating like a roller coaster, hastening the breakdown of the paper. These issues can cause irreparable damage. Hot temperatures and dry or low humidity can cause paper to become brittle. As a result, the pages will tear more easily, as well as to chip along the edges, and in some instances split, especially along folds, creases, and in the gutters. High humidity can cause an entire volume, binding, boards, and pages to develop mold and mildew. Sometimes high temperatures and high humidity can lead to “red rot,” where the original leather used as the covering for the volumes begins to deteriorate. If at some point in time the pages become wet or saturated with moisture, they can also begin to deteriorate, turning the paper into a light, fine, powdery composition.

Of course, when an aging and deteriorating record book is a good candidate for conservation, it frequently has a combination of all of these use/handling, storage, and environmental problems.

The conservation solutions for these worn-out volumes are usually the standard deacidification, encapsulation, and post binding. If the paper is strong and flexible, and the signatures are still intact, the conservation treatment might call for sewn-on tabs instead of encapsulation (deacidification, sewn-on tabs, and post binding). However, other treatments might be necessary prior to these standard methods. Tears and splits must be mended and voids or losses filled. Sometimes when documents or pages are so brittle that they crumbled into pieces, they need to be put back together. Documents or paper that has crumpled or cockled from improper storage must be flattened. Tape that was used for repairs, as well as all of its adhesives, must be removed, and the same goes for any instances where glues were used. Active mold must be remediated, and inactive mold removed and cleaned. All of this must be performed before the conservator moves on to deacidification, encapsulation (or tab sewn), and post binding. Ideally, while items are in the lab for conservation treatment, they will be reformatted for the locality’s records management system so that the original items can be retired.

Major or multiple conservation issues are usually easy calls. However, when a volume requires a minimal amount of conservation, we sometimes look for better candidates. An item with a detached spine that is otherwise functional or that has one or two loose or detached pages or signatures will usually be left alone and saved for a time when it can get the minimal treatment that it warrants. We want to make sure that the items are not overtreated and can remain as original and intact as possible in order to “do no harm.”



Brunswick County Order Book No. 27, 1816-1818 is a good example of a well worn book. The volume, essentially has, detached everything: the text block is loose and the sewing is loose and/or broken with loose and detached pages. The pages themselves are chipped and torn with ample evidence of water damage.

BOOKS IN THE BASEMENT:

Sorting Out Marriage Bonds, Marriage Banns, Marriage Certificates, Marriage Consents, Marriage Contracts, and Marriage Licenses

There was a time when the CCRP grant review committee would not consider awarding an item conservation grant for loose marriage records—or any loose records for that matter. As many clerks have recently learned, that is no longer the case.

The original reasoning was that, if we were preserving the marriage registers, the marriage information was being preserved. However, it has become apparent that with the variety of marriage-related loose records available, some information was not being preserved in the old registers, especially when these records are viewed in totality. Unfortunately, the assortment of loose marriage records (and the overlapping information contained in them) can sometimes make for confusing research. Sorting out marriage bonds, banns, certificates, consents, contracts, and licenses (as well as ministers' returns) is problematic because, except for the marriage licenses, the documents don't all contain the same information, might not

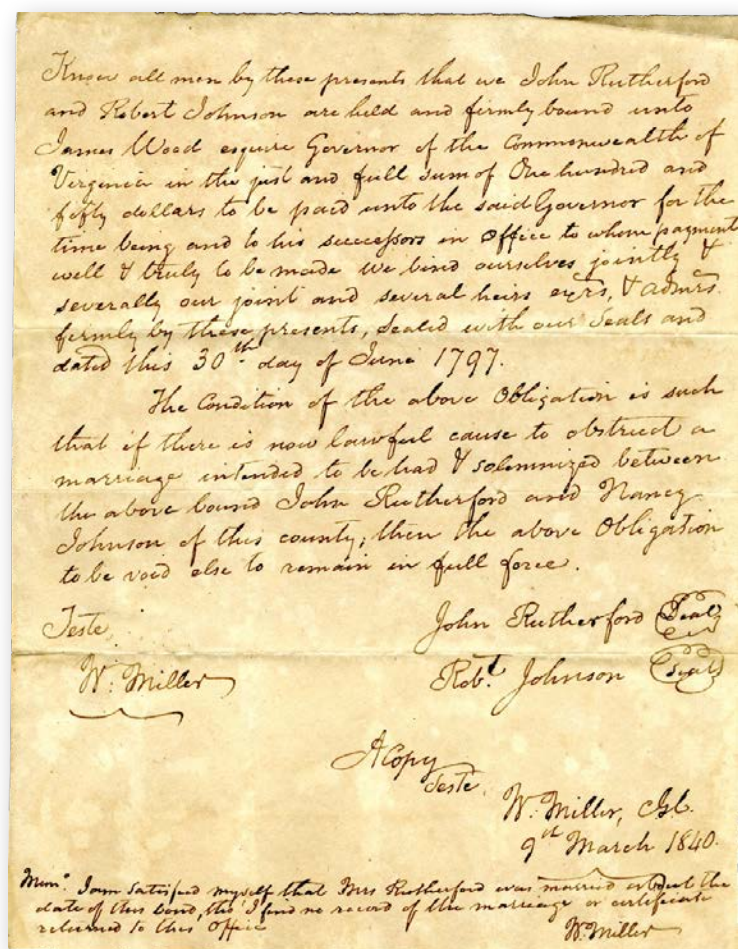
all be found in every locality, or might not have survived. And the various assorted documents begin to phase out as we move forward in time.

A marriage bond is a bond of obligation filed with the clerk at the courthouse. A man would file a marriage bond to legally confirm his intention to marry a particular woman. The bond also confirmed that the prospective bride and groom were both legally free to marry. The document would include the name of the bride, as well as the name of the groom and a cosigner, usually a relative of the bride (a father or brother), who was also held in the bond. The document was essentially a promissory note financially obligating the prospective groom and cosigners to pay the listed amount to the state if the marriage did not occur. A marriage bond is not a marriage license, and the date on the bond is the date that the bond was posted, not the date of the marriage. In some instances, a bond is all we have. While we can assume that the marriage most likely took place, without a license, we cannot be certain. Marriage bonds began to phase out in the mid-19th century.

Marriage banns (or banns of marriage) were public announcements (read or published) in a church of an impending marriage between two specific people. The purpose of the announcement was to enable anyone to raise any canonical or legal impediment to the marriage in order to prevent marriages that were invalid. The announcements were made at the church for the three Sundays prior to the ceremony. Although rare, the documents themselves can usually be found with the ministers' returns. Prior to 1848, banns could be used as a legal substitute for a marriage license. As with marriage bonds, marriage banns were phased out in the mid-19th century.

Marriage consents were letters from parents or guardians of minors to the clerk giving consent for a marriage license to be issued. They usually include the names and ages of the prospective bride and groom, the date the consent was requested, and the signature of a parent or guardian and a witness.

Marriage contracts, marriage agreements, and marriage settlements are all essentially prenuptial agreements, and all concern the ownership of certain titled properties. These were usually performed to protect the bride so that the property remained her separate property. They usually take the form of a bond where a third party takes on the role of trustee, in which the title of the property is consigned for use by the wife. The property would remain hers throughout the marriage and in the event of the husband's death or a breakup of the marriage. However, these agreements could also



A March 9, 1840, copy of a Goochland County marriage bond for John Rutherford and Nancy Johnson, June 30, 1797.

address and ensure the future property ownership of a husband's wife and his heirs. Again, in these instances, the property would be put into a trust and vested back to the husband for use during his lifetime.

In time, applications for marriage licenses began to take the place of some of these other documents. Applications for marriage would include the name of the locality, the full names of the prospective bride and groom, as well as their age, race, previous marital status, place of birth, father's full name and mother's maiden name, place of residence, occupation (of the groom), date and place of proposed ceremony, and the signatures of the bride, groom, and clerk.

Marriage certificates confirmed a marriage and were a record of the minister's returns on marriages. They included the names of the bride and groom, the date of the ceremony, the signature of the officiating clergyman, the date returned to the clerk's office, date recorded in the marriage register, and the signature of the clerk. Marriage certificates were legal evidence that a marriage had occurred.

Marriage licenses (sometimes referred to as certificates of marriage), the most common marriage record found in courthouses, were issued to ensure that the prospective bride and groom were legally able to marry (not already married), of legal age to marry, and not too closely related by blood (or family). Marriage licenses contained the same information found in marriage applications, but also include the name of the minister, his religious denomination and official status, the date and place of the ceremony, the date of the certificate, and the signature and address of the minister.

In order to have a record of all marriages, ministers were required to sign a certificate to be filed with the county clerk. These ministers' returns were sometimes late, incomplete, or, in many instances, not made at all. County clerks compiled a register of marriages based in part on ministers' returns. Ministers' returns contained the names of the bride and groom, the date of the marriage, etc. While they are not always available, ministers' returns are generally considered to be accurate and are sometimes the only evidence that a marriage occurred when a license or bond goes missing.

Finally, the marriage register is the record of marriages compiled by the clerk from the original marriage documentation. The volume lists the date of the ceremony, the names and ages of the husband and wife, the marital status (single or widowed) prior to marriage, and the names of their parents.

To Mr William Miller Clerk of Goochland County
A return of marriages —

I Married Moses Mann & Sarah Lewis April 25th 1795
William Johnson & Mary Watkins September 25th 1795
William L. Johnson & Phoebe Cooke November 25th 1795
Joseph Mangum & Elizabeth Plumber November 29th 1795
William Hodges Jun^r & Elizabeth Cooke December 9th 1795
Grief Perkins & Mary R. Mitchell December 28th 1795
Thomas Egan & Mildred Parish December 31st 1795
Charles Atkisson & Mary Lewis January 9th 1796

The above marriages were celebrated agreeable to the dates
and according to the rules of the Protestant Episcopal Church
by me Charles Hopkins

January 18th 1796

Mr H. B. Bramley Clerk of
Albemarle Co Va.
I Respectfully request that you
issue License to Mr Jefferson
Cave to marry my Niece
Mahalda Robburtson who
is (21) twenty one years
of age she was born 10th
Sept 1857

Mollie + Barbara
Mahalda + Robburtson
Her Father was name
Thurston Robburtson her
Mother Winnie Robburtson
Alpha Huntly made call before a notary
to the said Quaker

A January 18, 1796, Goochland County marriage return by Episcopal minister Charles Hopkins (top). A ca. 1878 Middlesex County marriage consent permitting Mahalda Robburtson to marry Jefferson Cave of Albemarle County (bottom).

For Carroll County Circuit Court Clerk Gerald Goad, It's Not Just Preservation, It's Personal

It's not surprising that Carroll County Circuit Court clerk Gerald Goad has an interest in preserving the county's history. Carroll County's courthouse was the site of one of the most infamous gun battles in Virginia history. On the morning of March 14, 1912, the courtroom shoot-out left a judge, prosecutor, sheriff, and two others dead, and several wounded. One of the wounded, clerk of court Dexter Goad, came off as something of a hero, firing at the gunman and chasing him into the street, even after getting shot in the face. Yes, there is a family connection; Dexter Goad is the great-great uncle of current circuit court clerk Gerald Goad. For him, preserving the court records is not just interesting, it's family history.

During remarks that he made after his 2015 swearing in ceremony, Goad made it clear that one of the first things he wanted to do was meet with the Carroll County Historical Society, the Genealogy Club, and the Library of Virginia to work toward preserving the court records.

The newly minted clerk acknowledged that the county was “full of rich history,” and that one of his responsibilities as clerk was to protect it. In the five years since becoming clerk, Goad has applied for Circuit Court Records Preservation program grants for each grant cycle and has been awarded conservation grants for 15 items totaling more than \$55,000. In addition, he served on the CCRP grant review committee for three years.

So, it's not surprising that, not long after he began his clerkship, he took on a more proactive role organizing and overseeing volunteers and student interns as they process the voluminous loose records dating back to 1837, five years before the county was formed. Prior to his taking office, the county's chancery records (1842–1912) had been processed (to archival standards) and stored in accurately labeled archival quality folders and boxes. These records have since been transported to the Library of Virginia, where they were digitized and made available in the Library's Chancery Records Index. Goad's current processing crew is now working on the post-1912 chancery records, which will one day be scanned. They are also working through other loose records housed in the clerk's office, such as marriage licenses and judgments.

Goad acknowledges that processing to archival standards is time-consuming and challenging. However, processing like this is the simplest, most basic, and most cost-effective form of conservation for loose records. As we know, often these records are tied, tri-folded, and stored in metal Woodruff drawers, where they are sometimes crammed tightly. When a researcher is able to identify the bundle



Carroll County circuit court clerk Gerald R. Goad displays a recently acquired 1842 letter to Grayson County representative John Carroll regarding the establishment of Carroll County. The document was purchased by an anonymous donor.

needed, it has to be untied, unfolded, and sorted through before it is then refolded, retied, and placed back in the proper drawer (we hope). When loose records are flattened and stored in accurately labeled, acid-free folders and containers, they are easier to access with less wear and tear when used for research. Proper indexing and organizing of these records also facilitates their access and use by researchers. Goad cannot hide his enthusiasm for this project—he would probably want to join in the processing if it were possible! His goal is to one day have all of the loose records digitized and made available online, with the understanding that this will also help to preserve them by cutting down on or eliminating the use of the originals.

Four years ago, Goad invited CCRP staff to come to his office to perform an inventory of the records in the archival storage area. Periodic inventories are important for measuring what is there against what might be damaged, missing, or misplaced. Additionally, knowing what and where the records are can also help with security, storage, records management, and conservation planning. One year after the inventory, Goad received capital improvement funds from the Carroll County Board of Supervisors to obtain two new HVAC systems and more archival quality containers. Goad understands the archival procedures and standards necessary to ensure the long-term preservation of the Carroll County circuit court records.

One of the most important aspects of his preservation work is making the history of Carroll County available. Recently, Goad provided for the digitization of the 1846 document “A Register of Free Negroes and Mulattoes in the County of Carroll,” which is now a part of the Library of Virginia’s online Virginia Untold project. The purpose of the project is to make accessible biographical information on enslaved Virginians from unpublished historical records. In this way, researchers and genealogists have the ability to discover African American history not found in other sources. Carroll County’s contributions to this project include other documents related the sale and transportation of enslaved persons, as well as “colored” polling books from the Reconstruction era.

To celebrate this year’s 100 anniversary of women’s right to vote, Carroll County civic leaders and historical society members met at the circuit court clerk’s office to scour through the voting records to identify some of the first women to register to vote in the county. One of the names found in the old voter registration books was Belva Goad, the first editor and co-owner of *The Carroll County News*, which began publishing in 1920. Belva Goad was politically active before she was even able to vote. She was Dexter Goad’s daughter-in-law and, of course, great-aunt (or something) to the current clerk. For Circuit Court Clerk Gerald Goad, the preservation of Carroll County’s court records is not just one of his official responsibilities, it’s personal.



Carroll County circuit court clerk Gerald Goad holds a box of processed Carroll County Chancery records (top left). Goad stands in a dedicated processing area in the Carroll County circuit court clerk’s office where volunteers process loose records (top right). The Carroll County Courthouse (below), site of the infamous 1912 shootout that included Gerald Goad’s great-great uncle, Dexter Goad. Constructed between 1870 and 1875, the building is now the home of the Carroll County Historical Society and Museum. Today, the circuit court clerk’s office is located in the Carroll County Governmental Complex on Pine Street, just a few blocks behind the old building. The old courthouse is on the Virginia Landmarks Register (1981) and the National Register of Historic Places (1982). *Information for this essay was obtained from articles by Allen Worrell in The Carroll News.*



Fairfax Poorhouse Records

Previous newsletters have explored how the Fairfax County Courts aided impoverished county citizens. This article examines the county poorhouse through the reports and accounts of the superintendent of the poor (and manager of the poorhouse), T. T. Burke, and the county's board of supervisors. These records cover the poorhouse's financial year from October 1877 to October 1878, and contain a wealth of socioeconomic information.

In 1877, Fairfax County's poorhouse was located on the Colchester Road at Sangster's Station. During that time, it was still known by its much older designation, the "Alms House." Opening its doors in 1842, the poorhouse had been through the Civil War, witnessing two engagements, including the Battle of Sangster's Station. Perhaps driven by harsher economic times after the war, it had also seen a dramatic increase in residents, leading the Board of Supervisors to declare it "full to capacity" by 1877.

In March 1878, the board of supervisors invited proposals for repairing and updating the poorhouse. To increase capacity, they also gave Burke approval to construct a new building on the poorhouse grounds, and a committee was established to receive and approve construction proposals.

According to rough notes made during a Board of Supervisors meeting about the poorhouse, the contractor chosen for the new building was J. W. Ashford, a carpenter and lumber supplier, who was paid \$262. Wary of spending too much public money, the Board of Supervisors authorized the committee “to receive proposals for painting and guttering said house at the lowest bid, and fixing the cellar door.”

Apparently, Burke had not waited for the board of supervisors' permission to begin updating the new building. A March 1878 receipt indicates that D. B. Ferguson was paid \$4 to whitewash the "New house on the poor farm" several days before the "Poor House Meeting." Later, John McKey was paid \$40 for painting the new building. During 1878, Burke also laid out expenditures on maintaining the old building, paying Henry Davis \$2.75 for "work on [the] seller [sic]."

The 29 residents of the poorhouse at this time—16 female and 13 male—were provided with basic commodities during their stay. At the



Centerville District map indicating the location of the Alms' House, from Griffith Morgan Hopkins, Jr., *Atlas of Fifteen Miles around Washington: including Fairfax and Alexandria Counties* (Philadelphia, Pennsylvania: G. M. Hopkins, C. E, 1879), 69.

beginning of the financial year, Burke purchased, among other things, six iron bedsteads, 15 blankets, a dozen tin plates, a coffee pot, multiple pairs of shoes, and flannel, denim, cotton, thread, and buttons for making sturdy and simple clothing. Receipts indicate that most of these supplies were purchased from Washington, D.C., merchants.

These purchases were supplemented throughout the year with smaller purchases from local merchants. Burke kept running accounts at several local stores, paying them at the end of each financial year. A large portion of these items were foodstuffs, which the poorhouse farm could not provide, such as coffee, tea, and flour. Over the course of the year, Swetnam & Bro., operated by E. R. and Charles F. Swetnam, supplied the poorhouse with 16 gallons of molasses, 6.5 gallons of syrup, and 226 pounds of sugar. W. E. Ford sold the poorhouse a further 13 gallons of molasses.

T. T. Burke, Supt Poor
 J. W. Ashford
 1878 Jan 21 1 Coffin 4.00
 1878 Jan 21 1 do 3.00

One of the guiding principles behind the creation of the poorhouse was self-sufficiency. Poorhouses in less-urban areas had farms, and were expected to grow the bulk of residents' food, selling any surplus to raise funds for next year's seeds and farming tools. In the spring and summer of 1878, Swetnam & Bro. sold Burke cabbage and radish seeds, two replacement plow points, and a hoe. Burke bought other various implements such as shovels and buckets from different merchants throughout the year. To ensure that the poorhouse's crops grew well, Burke purchased \$45 of fertilizer from merchant L. (Leander) Makely. Burke sometimes issued promissory notes agreeing to give Makely "my crop of wheat or so much thereof as may be necessary to pay the said sum of forty-five Dollars."

As well as buying tools from general merchants, Burke had farm implements made to order and mended by independent artisans. In June 1878, Thomas Payne was paid \$2.25 for making a grain cradle, an implement attached to a scythe that scoops the cut stalks into little bundles as the grain is mowed (by hand). Payne's bill also included "repares," which may indicate repairs to a "grain scythe [with] 8 cradle fingers" that Burke had purchased from W. E. Ford in the previous month.

Able-bodied poorhouse residents were expected to work on the farm to raise their own food. In reality, the majority of poorhouse residents were elderly or infirm and unable to work. In his 1878 annual report to the board of supervisors, Burke reported that "Non[e] Wer[e] abl[e] to work." As was common practice in the running of poorhouses, Burke had to hire farmhands and a general housekeeper. Virginia Harris was contracted for 12 months to do unspecified work at \$4.50 per month.

Willis Elsey was paid \$16.89 for "Grubling" a portion of the farm. Grubbing is removing tree stumps and other debris from a field prior to plowing. Other local men were paid for plowing, planting, harvesting, and processing the fields and crops. Burke's annual report recorded that the poorhouse farm's yield for that year was 98 bushels of wheat, 69 bushels of oats, 50 bushels of potatoes, 80 barrels of corn, and 1,400 pounds of pork. This was achieved by a handful of part-time, temporary farmhands.

The annual report stated that \$60 was spent on medical services throughout the year. One of these expenditures was for the services of midwife Annie Gaskins, who was hired to attend Ella Ridgeway

T. T. Burke, Supt of Poor of Fairfax Co.
 Bot. of Swetnam & Bro.
 1878 Nov 7 To 26 1/2 Bacon 39¢ (13) 2 Sals. Molasses 35¢ = 3.42
 " 13 1/2 1 Cal. Syrup 50¢ 1 Curry Comb 22¢ = .72
 " " 1 1/2 doz Tin plates 25¢ (16) 33 1/4 " Beans 33¢ = 4.13
 " 16 1/2 1 doz " Bacon 75¢ (Dec 7) 3 gold Tamals 12¢ = 8.35
 Dec 7 " 2 Prs Shoes 1.50 1 Pr Shoes 1.40 = 2.90
 " " 2 " " 1.50 3 Prs " 1.75 = 8.65
 " 18 1 Pr Shoes 1.25 2 Prs " 1.10 = 3.45
 Jan 3 1 Lantern 1.25 1 Lamp Wick " = 1.50
 " " 2 Prs. Shoes 1.50 (18) 1 Shovel " = 3.25

T. T. Burke, Fairfax County superintendent of the poor, to J. W. Ashford, carpenter, January 21, 1878, for the construction and purchase of coffins for two persons who died on the same day (top). T. T. Burke's account with Swetnam & Brother, November 1878, for the groceries that the poorhouse farm could not provide (bottom).

"in her confinement," meaning during labor. Ridgeway was in labor for two days and nights. Her son, James, died at or shortly after birth. The other two babies born at the poorhouse in 1878 survived. Four residents of the poorhouse died during the year, two during the winter. Carpenter J. W. Ashford supplied coffins for Willis Miner and Cordela Rany on the same day they died.

Alongside the vital statistics and expenditure figures on the annual report, Burke recorded the "Loss of a valuable hors," and "Respectfully" asked the Board of Supervisors for a new pair of "good horse." Horses were vital for farming activities. This is the only full sentence in the report.

The men, women, and children who resided at the poorhouse do not have a large footprint in the historical record, since they did not own land and left no personal property to be probated. But the circuit court's poorhouse records do reveal who these citizens were and tell some of their stories.

A version of this article appeared previously in the August 2019 (No. 52) issue of Found in the Archives, the newsletter of the Fairfax Circuit Court Historic Records Center.

Amherst County Chancery Records Go Online

By Vincent Brooks, Senior Local Records Archivist

The Chancery Records Index contains over 11 million digital images for 84 Virginia localities. One of the newest localities to be added to this valuable trove is Amherst County. The original chancery causes from Amherst County span the years 1779 through 1913. The 1779–1869 portion of the collection has been flat-filed, conserved, and indexed and will constitute the first phase of digitization.

Chancery cases are useful when researching local history, genealogical information, and land or estate divisions. They are a valuable source of local, state, social, and legal history, and serve as a primary source for understanding a locality's history, as well as that of the region, the state, and the nation.

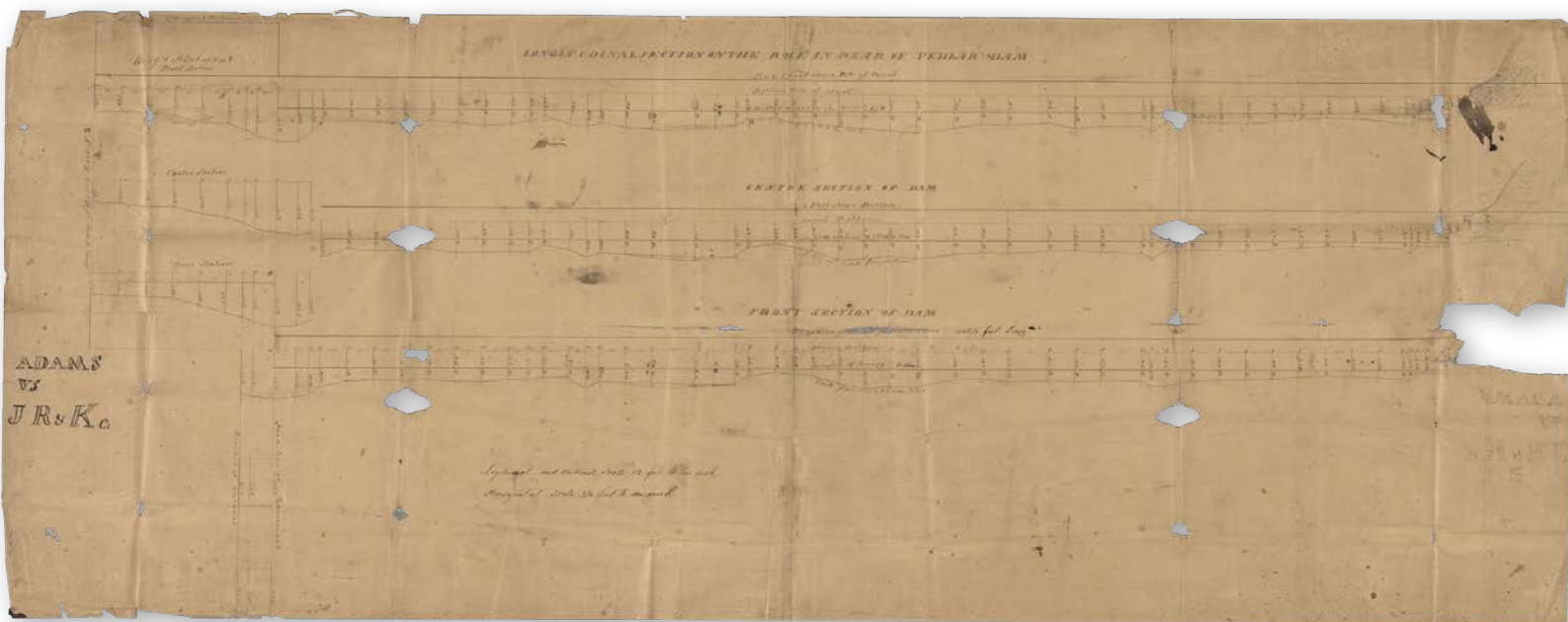
A considerable number of Amherst County chancery causes involve enslaved people. Through details provided as part of the division of an enslaver's estate or due to a contractual dispute between parties, researchers can often find information on familial relationships, ages, and physical descriptions of enslaved people. For example, in the cause of **Charity Bourne and Administrators of John Hansard versus Elijah Fletcher** (1859-007), the plaintiffs accuse Fletcher, owner of Sweetbriar Plantation (now Sweetbriar College), of misleading them and tricking them into transferring their valuable property to him. Included in the suit are several deeds transferring enslaved human beings which note family bonds.

Other causes in the series involve enslaved people suing for their freedom. Nancy Holloway and her daughter, Sophia Higginbotham,

bring suit against the estate of Thomas S. Holloway in the chancery cause **Nancy Holloway & versus Administrators of Thomas S. Holloway** (1837-008). The women were emancipated by a clause in the will of Thomas S. Holloway in June 1810, which stated,

I have two other slaves Nancy and her child which is a girl which I would give their freedom if the laws of the state of Virginia would permit but nevertheless it is my desire that the said Nancy and child be permitted to pass and repass and work for themselves that they are not to be made or cause to be made to work for anyone save themselves & that if the laws of this state will permit that the said Nancy & child or children shall have their freedom and if nothing else can be done in order for them to obtain their freedom that they shall be sent in some other state which will permit them to get and obtain their freedom and if sent out of this in order to get their freedom that my executors pay her one hundred dollars.

Holloway's executors did not provide emancipation papers or the funds to relocate despite repeated pleas from Holloway stating her desire to leave Virginia with her daughter. The chancery bill of complaint was filed 24 years after Thomas Holloway's death, well beyond the one-year time frame given to emancipated individuals to leave the commonwealth. Violation of that law meant that Holloway and her daughter could legally be re-enslaved despite the administrator's unwillingness to provide the relocation funds and documentation.



Scanned longitudinal section of the Rock in Rear of Pedlar Dam in Amherst County, John L. Adams vs. James River & Kanawha Company, from online Chancery Records Index (1858-011).

The deposition of John C. Grant, taken at the Office of the James R. & K. Co. on Tuesday the 28th February 1858, in the City of Richmond, & the last now pending in the Supreme Court of Appeals at Richmond, in which the said Company is Plaintiff and John L. Adams is Defendant - the said deposition to be read as evidence in this case, is returned back to the Circuit Court of Amherst County, for further proceedings to be had therein, in pursuance of notice hereto annexed. Duncan Grant being duly sworn.

1. Question by the Counsel of the J.R. & K. Company.
Please state, when the Blue Ridge Dam on James River was washed away?

Answer. The Blue Ridge Dam was washed away in the month of November 1847. I went after the freshet had carried away the dam I came down to Lynchburg, I met Major Pym the Chief Engineer. I got orders to go down to look at it, but when the dam was built below Lynchburg, I finished that at Christmas I went back then to Lynchburg. Major Pym was in Lynchburg. He ordered me to hire hands and repair the Blue Ridge dam. I done so, hired hands, commenced getting timber for the dam. I had the guard lock to build at the same time. The foundation of the guard lock had to be put in before the water could be backed. I commenced building part of the dam in May and I had to stop a little while to raise the foundation of the lock six feet up, then I commenced the dam and finished it in or about the first of October 1848, in a shorter period than any dam ever was built on James River.

2. Question by the James

Answer. Please state at what time Charles H. Socker commenced making cement at his Mills after the creation of the dam. Answer. I think he commenced before the dam was finished. I cannot remember the precise time.

3. Question by James

Answer. (Which questions were made by the Company to furnish cement to John L. Adams during the creation of the dam?) Answer.

They were getting cement from Rocky Point Mill but I cannot say how much, but they got as much as they could.

4. Question by James

This Indenture made and entered into this 7th day of April 1825, Between Peter Cashwell of Amherst County of the first part Samuel A. Davis and William A. Crawford of the second part and Elijah Fletcher of the third part Witnesseth the said Peter Cashwell for and in consideration of the sum of one dollar to him in hand paid by the said Samuel Davis and W. A. Crawford the receipt whereof is hereby acknowledged and to the further purpose and intention in this Deed hereinafter expressed bargained and sold granted and confirmed unto the said Samuel Davis and W. A. Crawford and their heirs Admrs & Executors a certain tract parcel of land lying and being in the County of Amherst adjoining the lands of Thomas Hogganbusham, William Brown, Abner Page, Thomas Edwards, Ephraim Dodge, Jos. Burwell, Jos. Simpson others, ship posed is contained between five and six hundred acres together with the appurtenances thereto belonging, (to have the following Slaves to wit: In a boy about 17 years old Thad and with two children Milly and a boy together with the increase of the female & to have forever and enjoy the said tract of land and the negro Slaves to them the said Samuel Davis & W. A. Crawford the survivor of them or of the survivors of them and to the said Cashwell forever warrant and defend to the said Davis and Crawford or the survivors of them a good and lawful right of title in fee simple to the said tract of land and Slaves together with the increase of the females against the claims claims of all and every person who may claim or pretend to claim that whereas the said Peter Cashwell has sold and assigned to the said Fletcher a bond given by James H. Cashwell to the said Peter Cashwell for thirty three hundred dollars dated the 23rd day of March 1825 and payable twelve months after date and the said Peter Cashwell being desirous to come to the said Fletcher the personal payment to the said Fletcher of said bond so assigned by the said Peter to him And this Indenture Witnesseth that in case the said James H. Cashwell shall make default in the payment of the debt assigned on the said Peter Cashwell as aforesaid shall not cause it to be paid on or before the day it becomes due and payable then and in that case it shall be lawful for the said Davis & Crawford or the survivor of them or either of them having advertised the time & place of sale for two weeks at the Court house door in the County of Amherst or in

Even when some case files are incomplete, they can offer an interesting glimpse into county history. In the chancery cause **John L. Adams versus James River & Kanawha Co.** (1858-011), the bill of complaint, answers, and decrees were not found, but the depositions in the case provide extensive information on dam and lock building along the James River. The Pedlar, Blue Ridge, Bald Eagle, and Judith (now Reusens) dam's designs and construction are discussed at length. Several of these dams still exist today, so their commercial and transportation history in the community is considerable.

Chancery causes also concern the everyday disagreements between individuals transacting some sort of business, such as the rental of a horse. Well, at least upon first glance they seem "everyday." In **Dominick Welch versus Littleberry Bryant** (1801-018), Welch files a bill of injunction against Bryant's judgment against him for a debt. Welch claims that the horse he rented from Bryant was afflicted with "yellow waters" (a liver disease) and incapable of rendering the

Scanned deposition of Duncan Grant in Amherst County, John L. Adams vs. James River & Kanawha Company, from online Chancery Records Index (1858-011) (left). Scanned 1824 deed that includes the names of enslaved persons among the papers in Charity Bourne and Administrators of John Hansard vs. Elijah Fletcher from online Chancery Index (1959-007).

usual services. Welch then claimed that Bryant approached him after filing the judgment and convinced him to sign a note for part of the alleged damages in return for a promise to dismiss the judgment. Welch claimed to have been taken advantage of not only due to his ignorance of legal matters, but also because he was "frequently deprived of his senses at full & change of the moon."

Digital images of the Amherst County chancery causes will be uploaded in batches as they are completed. At the time of publication, images for the years 1779 through 1838 have been made freely available to the public through the Chancery Records Index.