



LIBRARY OF VIRGINIA

RECORDATUR

The newsletter of Virginia's Circuit Court
Records Preservation Program

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RECORDATUR

"An entry made on record to prevent any alteration of Record"

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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We want to hear from you about the grant programs in your locality. Please send press releases, images, and story ideas to editor Jennifer Davis McDaid: jennifer.mcdaid@lva.virginia.gov

DIRECTOR'S CORNER

I hope this message finds you well as we head into spring. While I know that the gloomy budget outlook continues to dominate all of our lives, I truly hope that 2010 will be a positive and happy one for you and your staff.

In November, we welcomed a new CCRP Grants Review Board for the 2009–2010 cycle. The new clerk members are Paul Ferguson of Arlington County, Karen Butler of New Kent County, and Tom Roberts of the City of Staunton. They are joined on the board by interim state archivist Suzy Szasz Palmer and me as voting members. We were quite pleased to host the three clerks at the Library of Virginia for an orientation session and a tour of the archives. On November 24 the board met and reviewed thirty-five applications from twenty-nine localities. All thirty-five grants were awarded in the amount of \$234,140.12. Please see the summary of awards in this newsletter for full details on the grants. On the subject of grants, the deadline for the spring applications is April 15. Please contact Glenn Smith if you need assistance in developing a grant or have a proposal you would like to submit.

I also want to update you on our digital chancery records initiative. Progress continues on scanning chancery records, though we have greatly slowed the pace of scanning due to the budget. We now have well over four million images from thirty-eight localities posted to the Chancery Records Index (CRI). The CRI continues to be one of the featured collections on the Library's Virginia Memory Web site and gets regular use from researchers across the country. This wonderful digital resource can be found at <http://www.virginiamemory.com/collections/chancery/>.

Finally, we have been very fortunate over the last several months to have a number of clerks and their staff pay us a visit while they are in Richmond. If you would like to arrange a tour of the archives, please let us know—we'd love to show you our building and the work that we are doing with circuit court records.

As always, please let us know if you have any questions or concerns.

Sincerely,

Carl Childs
LOCAL RECORDS SERVICES DIRECTOR





Intern Victoria Edwards at the
Rockingham County courthouse.

PHOTO BY TIFFANY COLE

A Partnership in Rockingham County

THE CIRCUIT COURT, JAMES MADISON UNIVERSITY, AND THE
LIBRARY OF VIRGINIA COLLABORATE ON INTERNSHIP PROGRAM

Neatly folded and wrapped with red cloth string, hundreds of Rockingham County documents have been carefully examined and preserved by James Madison University graduate students at the courthouse in an internship program funded by the Library of Virginia.

Students have unwrapped bundles of papers, flat-filed the documents, rehoused them in acid-free folders and boxes, and indexed information useful to researchers. They have painstakingly separated and organized tangled records, stabilizing those that are creased and fragile due to moisture, dirt, and age. These modest sheets of paper effectively illuminate the small things and daily cares that are often forgotten in the big picture of history.

To prepare for their work, history students Tiffany Cole and Victoria Edwards were trained in archival procedures at the Rockingham County courthouse by Rachel Muse, the Library's former circuit court records archivist. "The Library of Virginia has done an exceptional job training the students," said Chaz Evans-Haywood, Rockingham County's clerk of the circuit court. "I feel very comfortable allowing the students access [to the records], and they work at their own pace." The Library's local records appraisal archivist, Jennifer Davis McDaid, recently trained this semester's intern, JMU senior Molly Campbell. Her work on the Rockingham County court records internship project will be focused on

For the students, the internship project is an opportunity to get paid and work for class credit in a field that they love..."



PHOTO BY NIKKI FOX/DAILY NEWS-RECORD



PHOTO BY VICTORIA EDWARDS

ABOVE: Intern Tiffany Cole checks the arrangement of records in acid-free boxes. LEFT: Archivist Rachel Muse explores courthouse files with the interns.

loose deeds. Last semester, intern Gabriel Walman largely completed a road and bridge records project (1878–1970) and began to process deeds (1779–1900).

Paid for with a Library of Virginia grant through the Circuit Court Records Preservation Program, the project is a rare example of the Library, a clerk of court office, and a university working together to preserve records, according to Carl Childs, director of local records services at the Library.

For the students, the internship project is an opportunity to get paid and work for class credit in a field that they love and plan to pursue as a career. The students know that the hands-on work will be a useful addition to their skill sets after graduation. Both Cole and Edwards will graduate with history degrees with a concentration in public history. Both learned about the internship opportunity through the JMU history department. "I love the fact that the Library of Virginia offers opportunities like this to graduate students," Edwards said, "and that the faculty at JMU is really interested in having students

participate." Learning was an important part of the project for the interns. Rachel Muse and "all the rest of the staff from the Library that I met were just pleasant to work with," Edwards explained, "and it was clear they enjoyed what they did and liked seeing students enjoy the work too."

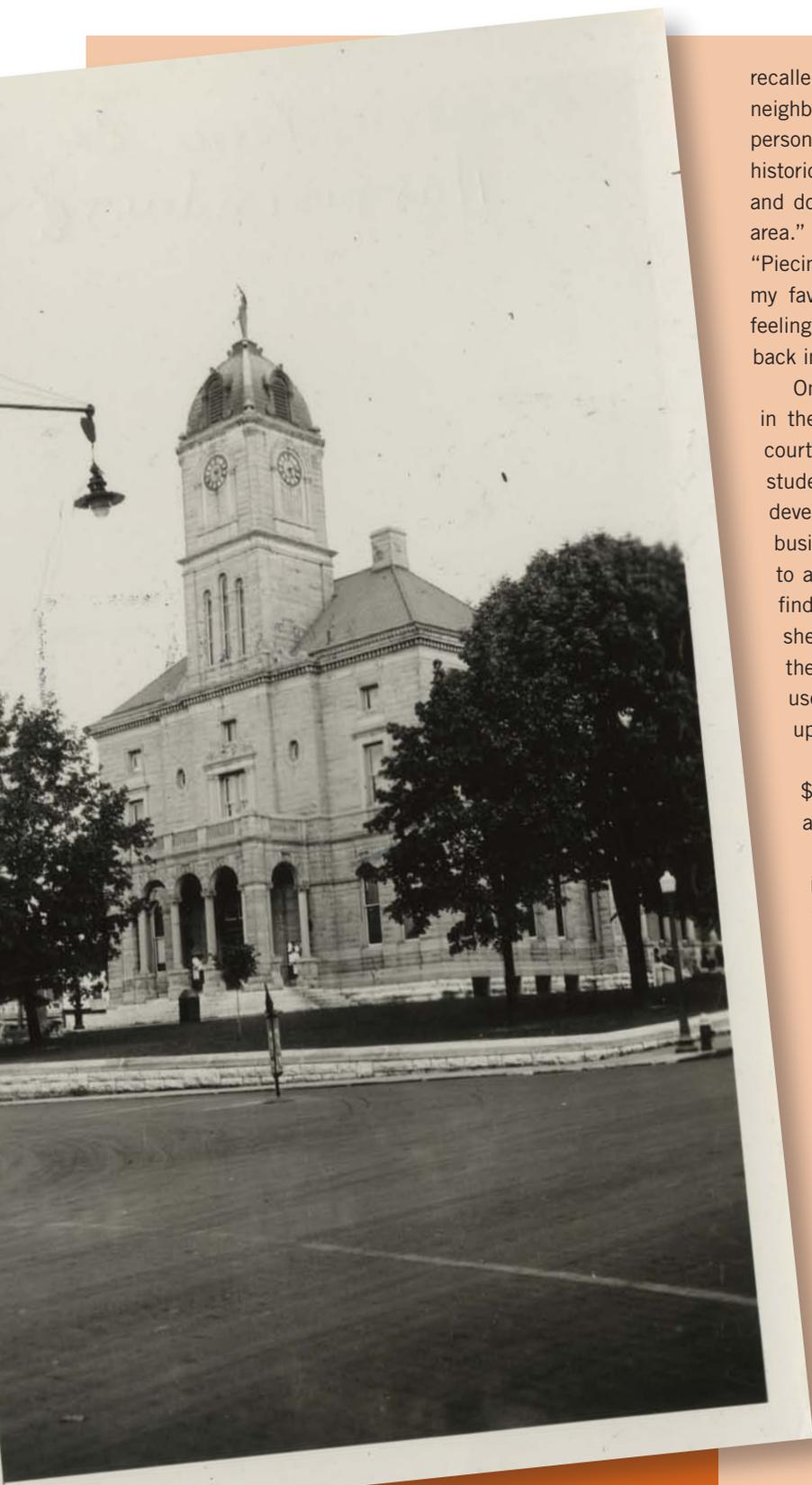
The internship program helps to educate students and the community about the resources available at the courthouse, and the important role resources at the courthouse play in the preservation of local and state history. "It was also valuable to help me understand how much the proper preservation and organization of records really means to a community," Victoria Edwards reflected. "The courthouse is an invaluable institution for a community and having its historical material in proper order makes it an even better resource."

Along with archiving the records, Tiffany Cole hopes her archival work will help with her thesis on moonshining. These documents could include any number of clues that might lead her to information on

the practice, which is an important part of the area's history, according to Cole. Deputy clerk Heather Reardon vividly remembers the interns' enthusiasm for their project. They were "just as excited as I was with the history angle of the work," she recalled. Victoria Edwards agreed that the documents were evocative. "The way citizens phrase their appeal to the court for a road, how a man describes his surroundings, the official phrasing on court summons, the needs and concerns of the community," she explained, "all of it had such life and personality."

Edwards, who is from Reedville, Virginia, said she enjoys delving into public records and believes that her experience will be an asset on her resume. Clerk Chaz Evans-Haywood agrees that "the investment being made in students at James Madison University is providing them with real-world experience that they could rarely find elsewhere."

The work also had more intangible rewards. "I liked that there was always something interesting to read or discover among the deeds and petitions," Edwards



recalled. “There could be some fun gossipy material, like two neighbors quarreling about property lines or saying that a certain person was an unreliable surveyor. There were also interesting historical tidbits, such as a deed written for Standard Oil Company and documents trying to establish a Freedman’s school in the area.” The interns were slowly putting the past back together. “Piecing a document back together with the repair tape was easily my favorite task on the internship,” Edwards reflected. “The feeling of accomplishment at putting an irreplaceable document back into readable condition was phenomenal.”

Once the interns’ projects are completed, information in the records will be more accessible to the public and to court staff. Many of the documents being archived by the two students concern area roads, including requests to build or develop them. They often include maps detailing homes and businesses along various roads and other features, according to archivist Rachel Muse. “People still use these records to find out who owned the land and where the roads used to go,” she said. Evans-Haywood explained that the processing of these records has “uncovered items significant to the road used during the Civil War, which will be of use during the upcoming sesquicentennial.”

The work will be paid for by a Library of Virginia grant of \$8,965. “We see this project as the beginning of processing a lot of different types of court records,” Carl Childs said.

Archiving the road records, deeds, and other documents is part of Clerk Chaz Evans-Haywood’s ongoing efforts to preserve and make available Rockingham County court records. Since taking office on January 1, 2009, Evans-Haywood has received \$64,847 in grant funds to preserve records and keep them secure.

—by Jennifer Davis McDaid,
RECORDATUR EDITOR
LOCAL RECORDS APPRAISAL ARCHIVIST

ABOVE: A photo of the Rockingham County courthouse taken in November 1938, Library of Virginia. RIGHT: Chaz W. Evans-Haywood, Clerk of the Circuit Court, Harrisonburg and Rockingham County.

PHOTO BY NIKKIFOX/DAILY NEWS-RECORD



Unexpected Treasures

LOCAL RECORDS CONNECT US TO EVERYDAY LIFE IN THE PAST

A team of local records archivists and records managers from the Library of Virginia discovered something unexpected among the records at the Rockingham County courthouse. Carl Childs, Dale Dulaney, Jennifer McDaid, Anita Vanucci, and Tom Wellman were nearing the end of their two-day visit in the summer of 2009 when they started to inventory a pile of nineteenth-century indexes. Inside the front cover of the Index to Judgments for 1860 was a delicate drawing of a slat-back chair.

The index contained no other drawings, and there are no clues to the artist's identity. This type of chair was the mainstay of seating in the nineteenth century; by mid-century, many households owned chairs like this one in sets of six or twelve. Inventories recorded in the Rockingham County will books list chairs of all types among the furniture, including stools, rocking chairs, Windsor chairs, cane bottom chairs, arm chairs, and mahogany chairs. Other lists specified that the chairs were in "setts," were new, or were painted green or black.

Chairs were produced by local artisans. Each craftsman specialized in a particular feature that was unique (so a certain turning or finial would identify the maker). Cabinetmakers, wheelwrights, and house joiners could also produce chairs with simple tools and local materials. Slat-back, or ladder-back, chairs like the one in the Rockingham drawing usually had a turned finial on the rear posts and two or more concave slats. In most chairs, the slats were curved at the top and flat on the bottom, although there were many individual and geographical varieties. Stretchers or base rounds, either plain like the ones in the drawing or decoratively turned, connected the legs.

The local newspaper, the *Rockingham Register*, regularly advertised chairs and other furniture for sale. "Furniture of every description" was available from George W. Stoner's store on Main Street in Harrisonburg; like other dealers, he accepted "country produce in exchange for work," though he also offered his services as an undertaker. Interested shoppers could find "cradles and coffins and all intermediate furniture." Those who could afford it furnished their houses with sets of chairs in the dining room, as well as chairs for sewing, chairs for the parlor, chairs for the office, and high chairs for children.

Who knows why someone working in the clerk's office carefully sketched a chair inside the front cover of this well-worn index? With its cane seat and three slats on the back, the chair would have been a familiar sight in a Rockingham County

home. Perhaps the style identified it as the work of a local artisan. The drawing certainly surprised us—and reminded us that archival records physically connect us to the past by preserving history in its raw form. They tell the stories of communities and individuals and effectively bring the past to life. Such treasures are housed in clerk's offices throughout the commonwealth.

—contributed by Jennifer Davis McDaid
and Chris Kolbe

ARCHIVES RESEARCH COORDINATOR



PHOTO BY CHAZ W. EVANS-HAYWOOD

THE STORY OF FRENCH'S TAVERN

In 1842, Hugh French, owner of French's Tavern in Powhatan County, died without a will. The following year, one of French's daughters and her husband sued French's widow for a division of the estate. The plat shown on the following page was ordered by the court to show the division of French's land—more than 2,000 acres—among his heirs. It is part of the Powhatan County chancery cause *Meriwether Goodman and wife vs. Lucy S. French, etc., 1843-008*. The case has been digitized and is available online through Virginia Memory, which is home to the Library of Virginia's digital collections. It was processed and the plat was conserved with funds from the Circuit Court Records Preservation Program.

The plat is significant because it shows the location and includes a sketch of French's Tavern in 1843. This inn and ordinary (a tavern or eating house) was at that time a thriving business serving travelers along the Old Buckingham Road, an important thoroughfare linking the capital at Richmond with the Piedmont and the Shenandoah Valley. The tavern prospered in the early part of the nineteenth century, a period of considerable economic growth in U.S. history, "when stage-coaching became the chief means of public transportation, and inn-keeping became a profitable business," according to a report submitted to the National Register of Historic Places (the property was added to the register in 1989). According to the nomination, the structure is the only one of its kind in the area that is so closely associated with the theme of transportation. It is



also significant because it shows the adaptive reuse and remodeling of a structure resulting in its transformation from the manor house of a large plantation in the eighteenth century into an ordinary in the nineteenth century.

Parts of the structure were built as early as 1733 by Francis Eppes, who patented 2,300 acres in the area in 1730. Thomas Jefferson inherited the land and buildings in 1772, when he married Martha Wayles. In 1777 the property passed into the hands of Henry Skipwith, who was married to Ann, a half-sister of Martha Wayles Jefferson.

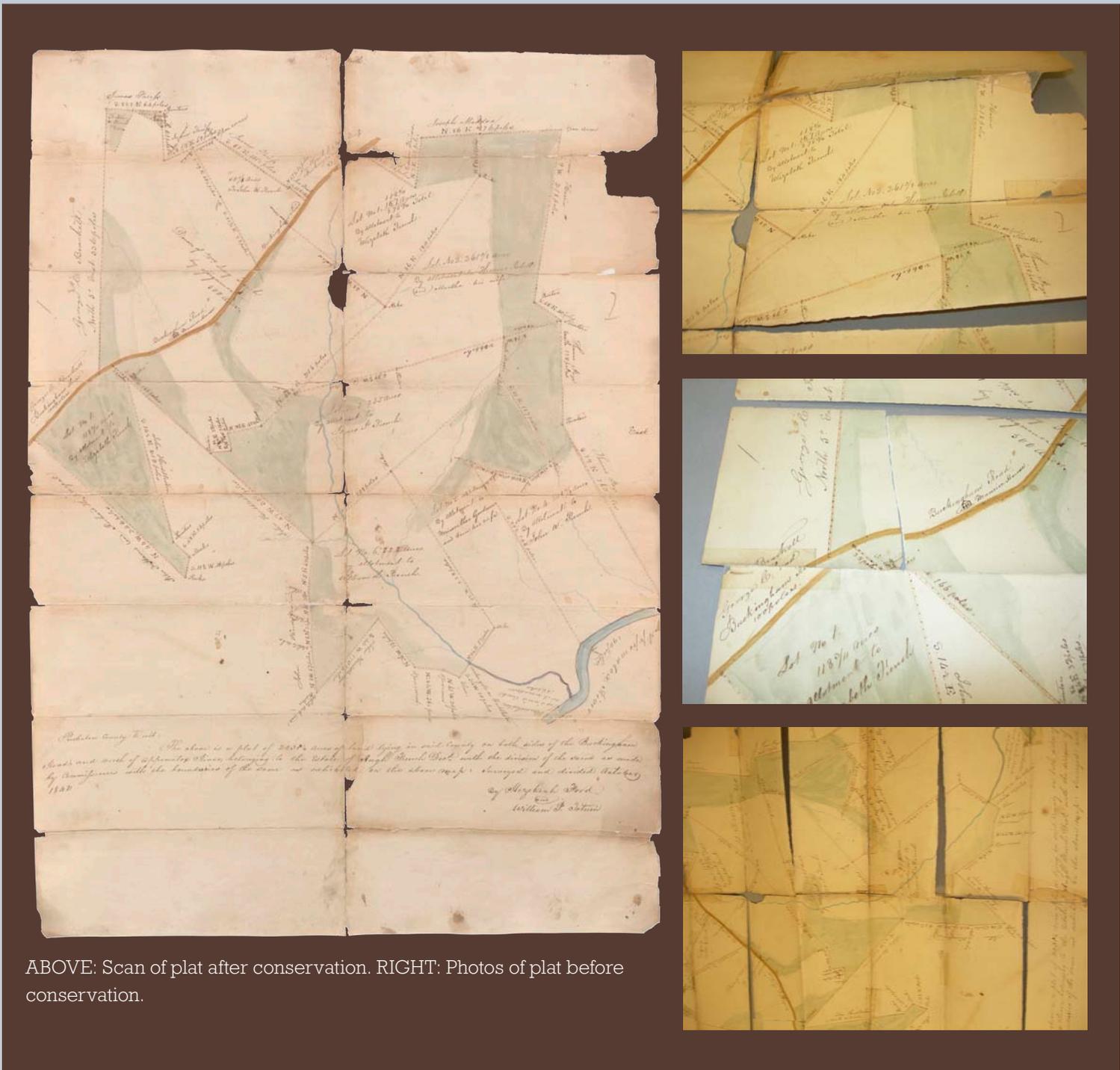
Hugh French came to Powhatan County from Loudoun County "friendless and penniless," according to his obituary, and worked as an ordinary keeper in a neighborhood store owned by Francis

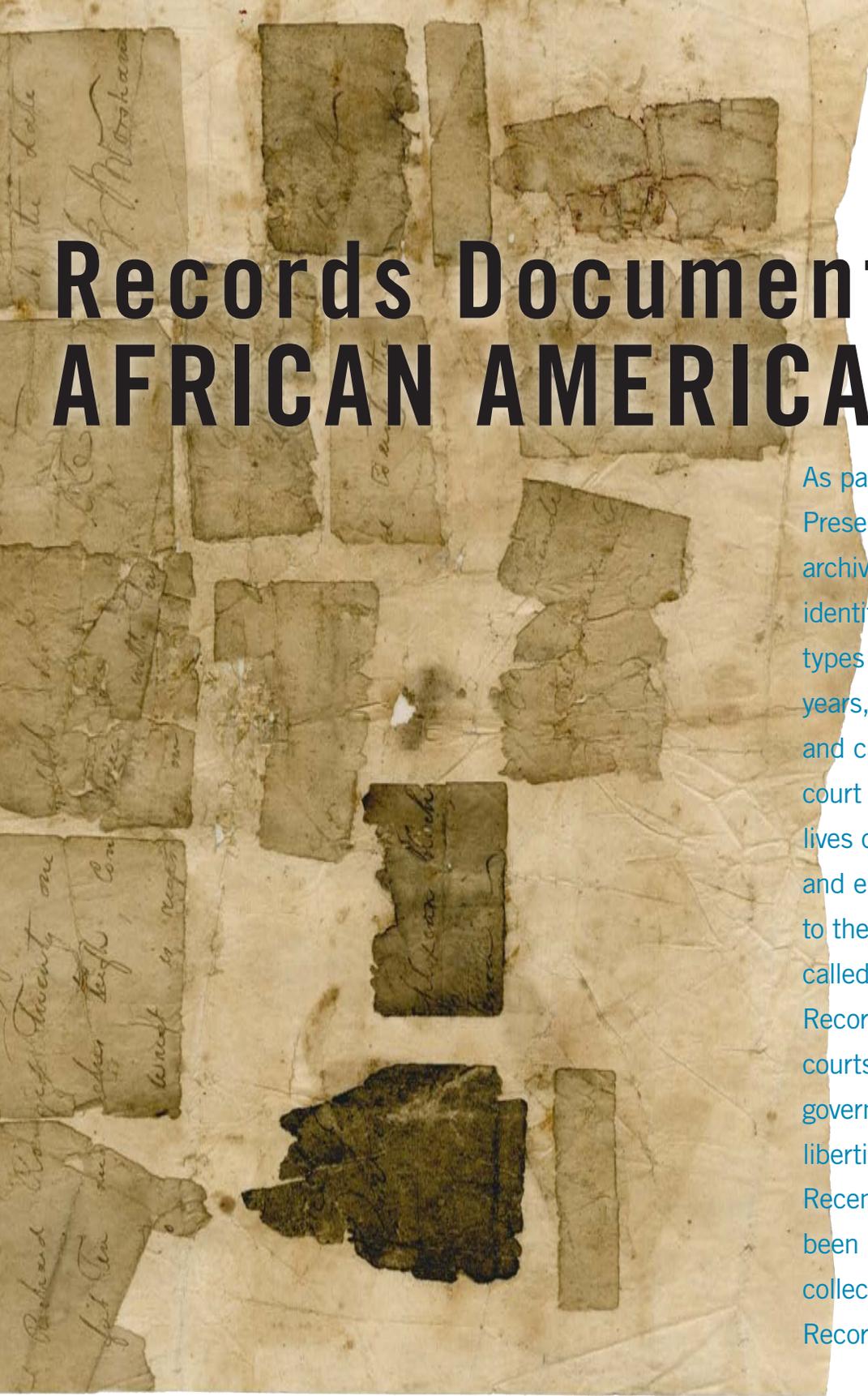
Eppes Harris. In 1807, French bought the property from Harris, who planned to move to Alabama to grow cotton.

For more information on the history of French's Tavern, see the National Register of Historic Places Registration Form for the property, available online: www.dhr.virginia.gov/registers/COUNTIES/Powhatan/072-0105_French's_Tavern_1989_Final_Nomination.pdf

The chancery cause also includes a manuscript report showing the division of French's large estate, which covered 2,034-¼ acres surrounding the tavern and a large number of enslaved people whose names are included in the report.

—Catherine O'Brien
LOCAL RECORDS ARCHIVIST





Records Document AFRICAN AMERICAN LIVES

As part of the Circuit Court Records Preservation Program, processing archivists at the Library of Virginia identify, preserve, and describe many types of court records. In recent years, archivists have processed and cataloged a large number of court records documenting the lives of African Americans, free and enslaved, living in Virginia prior to the Civil War. These records, called Free Negro and Slave Records, were created by the county courts as they enforced state laws governing slavery and restricting civil liberties of free African Americans. Recently, additional records have been processed and added to the collection of Free Negro and Slave Records from Prince Edward County.

The passage of the Manumission Act of 1782 made it much easier for slaveholders to emancipate slaves in Virginia, and the number of free African Americans in the state increased as a result. By 1845, approximately one in eight African Americans living in Virginia were free, but

they were subject to laws, sometimes called black codes, restricting their civil rights.

The Manumission Act of 1782 stipulated that liberated African Americans who did not pay taxes could be hired out by the county sheriff for a period long enough to pay their tax debt. Later, the legislature passed laws

requiring free African Americans to pay a head tax. These laws led to the creation, by local tax commissioners, of Free Negro Lists and Lists of Free Negroes Delinquent on their taxes. These lists, now part of Free Negro and Slave Records for localities, are especially useful to researchers looking for information

Prince George County, Va. 17th 1850

Dear Sir

There is living in this County a negro man
claiming to be free, and has a paper which he says proves the
fact, but so torn and defaced, that I can make out only
Prince Edward County 21st Sept 1829. Randolph
Branden. dated by the Richard, light complexion

R. P. Perham

He says his name is Randolph Branden, was emancipated
by Richard Randolph brother to Congreg Lach, but does
not know whether he was born before or after Richard
Randolph's death.

The object of this is to ask you, at
his request, whether he can get his papers renewed at your
office, and if so, at what time it would be convenient
for you to attend to them. He has been living in this
County about 18 months and seems to be honest and industrious
and willing to work when any offer.

I am respectfully

Yours etc
Maline Gilliam

Clerk of Prince Edward County,
Virginia

Count returning Post Office

In answer to the within I will say that if Randolph Branden will
come to Prince Edw. Court (16th Sept 1850) and bring with him the torn
remains of his certificate, the court will grant him a new register now.
I have refused to the orders of Court in Sept 1829, and find
him then registered, I have filled out in parcel, the blanks
on the other side, so as to make it correspond with the orders.

Respectfully

H. J. Morrison Clk. P. Edw. C. Ct.
7th Sept 1850

R. Branden
Clerk

identifying individuals. The lists typically include the name of the individual, address, occupation, and amount of tax owed, and sometimes include a physical description of the individual.

Beginning in 1793, the state legislature began passing laws requiring free African Americans to register with the county court and obtain registers, or certificates of freedom, identifying them as free persons. These records, or free papers, are a rich resource for identifying the personal history of individuals, such as whether the person was born free or emancipated, and, if emancipated, by whom and when. Information about the emancipation of parents and even grandparents is included in some cases. Because individuals were required to carry these documents with them as a form of identification, the free papers that survive in the county records are often threadbare and torn. These records are a tangible link to a time when people were required, because of their appearance, to carry free papers proving their citizenship.

The Prince Edward County records contain an unusually large number of free papers from other localities, suggesting that free African Americans may have been relocating to Farmville to work in tobacco manufacturing factories there. Tobacco factories were the largest employer of urban slaves who hired out their own time in Virginia, and they also employed a large number of free African Americans in the hand-processing of tobacco.¹ The collection contains free papers issued by the cities of Richmond, Petersburg, and Lynchburg, as well as by largely rural localities such as Buckingham and Hanover counties. Some of these records may be particularly useful to genealogists because they originated in localities where antebellum court records have been lost, such as Hanover and Buckingham counties and the city of Richmond.

The records also show one instance of a resident of Prince Edward County moving to another locality. When Randolph Branden tried to register as a free person in Prince George County in 1850, he found that the register, which was issued by the Prince Edward County Court in 1829, was illegible. The clerk of the Prince George County Court wrote to the Prince Edward County clerk requesting new papers for Branden. His tattered and worn 1829 register survives in the Prince Edward records (see illustration).

In 1806 the Virginia legislature passed a law requiring slaves who were emancipated after that date to leave the state within the year. This law was irregularly and unevenly enforced. When it was enforced, an emancipated person could petition the county court for permission to remain in the state. These petitions were often accompanied by affidavits attesting to an individual's character. They provide invaluable personal information about individuals, and also offer a revealing portrait of attitudes prevalent at the time toward African Americans. The Prince Edward County records, for instance, include an affidavit in support of the petition of Emaline, emancipated in 1840, to remain in Virginia. Attempting to address potential fears about free African Americans congregating with one another, the witness assures the court that the emancipated woman

1 David Blight, *A Slave No More: Two Men who Escaped to Freedom* (Harcourt, Inc., 2007), 34-35; Melvin Patrick Ely, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790s through the Civil War* (New York: Random House, Inc., 2004), 209-210.

would not likely associate with other African Americans, free or enslaved, if she were allowed to remain in the county.

Another series of unusual documents found in the Prince Edward County Free Negro and Slave Records are those pertaining to an order, issued by the Prince Edward County Court in September 1831, to confiscate firearms from free African Americans in the county. The order was issued in response to fears aroused by the Nat Turner slave insurrection in Southampton County in August 1831. Two constables compiled lists of firearms confiscated. Interestingly, many of the guns were described as being in the shop for repair, or disabled, suggesting that the order was not strictly enforced. There is a discussion of the circumstances surrounding this order in Mel Ely's award-winning history of the free African American community in Prince Edward County, *Israel on the Appomattox: A Southern Experiment in Black Freedom from the 1790s through the Civil War*, published in 2004.²

The collection also contains photocopies of court cases, 1787–1814, pertaining to the contested legal status of individual African Americans. These records include depositions taken for a Halifax County

² Melvin Patrick Ely, *Israel on the Appomattox*, 178–182.

criminal cause against James Nowland, who was charged in 1795 with kidnapping two free children in Amherst County and selling one of the children into slavery in North Carolina. The children were described as being of mixed race and their mother was described as white. The records also include two freedom suits. One, heard in Pittsylvania County in 1787, established the freedom of Deborah Payne. The other, *Maria, etc. vs. Molly Moore*, was heard in Prince Edward County in 1814. The plaintiffs accused Moore of holding them unlawfully in slavery because they were descended on their mother's side from a Native American woman. A chancery cause, *Dosha, etc., vs. Executors of John Watson* (1873), tells the story of the emancipation and removal to Liberia of sixty-six enslaved people from Prince Edward County in 1857. The court record includes a list of people freed, with names, approximate ages, family relationships, and the number of deaths among them after reaching Liberia. The plaintiffs sued the executors of John Watson's estate for distribution of funds intended for their use in Liberia.

These stories are but a sampling of the riches awaiting researchers in the Free Negro and Slave Records preserved by the

Circuit Court Records Preservation Program. For more information on these records and on records from other localities in Virginia, search the Library of Virginia's online catalog, <http://lva1.hosted.exlibrisgroup.com/F> (search on Archives and Manuscripts, subject: SUB=Free negro and slave records). Or search the Virginia Heritage Project Guide to Manuscript and Archival Collections in Virginia, <http://ead.lib.virginia.edu/vivaead/>.

Another resource of interest to researchers and genealogists is cohabitation registers that were recently digitized and made available online through Virginia Memory, www.virginiamemory.com/collections/ (click on Digital Collections, alphabetical listing, and scroll down to Cohabitation Registers). These records were created by the Freedmen's Bureau at the close of the Civil War. Because marriages of enslaved people were not recognized by law, these records are often the only public record documenting family relationships among slaves before emancipation. There are two Prince Edward County registers in this collection, a Cohabitation Register (Register of Colored Persons Cohabiting Together as Husband and Wife) 1866; and a Register of Children of Colored Persons whose Parents Had Ceased to Cohabit, 1866.

—Catherine O'Brien

THIRTY-FIVE RECORDS PRESERVATION GRANTS AWARDED

In the 2010-A grant cycle, thirty-five applications were submitted from twenty-nine localities totaling \$234,440.12. The Circuit Court Records Preservation Program Grants Review Board met to discuss the applications on November 24, 2009, and they awarded all of the projects.

The link to the minutes of this meeting, along with other useful information on the grants program, is found at <http://www.lva.virginia.gov/agencies/ccrp/ccrp.asp>. To date, 955 projects have been awarded to all but two of the 120 clerks' offices in the amount of \$14,863,714.74. Applications for the next round of grant applications must be received in the grants office (in hard copy with original signatures) by 5:00 PM, Thursday, April 15, 2010.

<u>Project Type</u>	<u>Amount Awarded</u>	<u>Amount %</u>	<u># Awarded</u>	<u># %</u>
Item Conservation	2,211,783.56	14.9%	335	35.1%
Preservation	399,922.60	2.7%	59	6.2%
Processing	2,410,781.58	16.2%	144	15.1%
Reader/Printer	882,424.49	5.9%	75	7.9%
Reformatting	7,839,690.06	52.7%	217	22.7%
Security System.....	1,119,112.45	7.5%	125	13.1%
	<u>14,863,714.74</u>		<u>955</u>	

—Glenn Smith, GRANTS COORDINATOR

VIRGINIA CIRCUIT COURT RECORDS PRESERVATION GRANT PROGRAM

Awards for 2010-A Cycle

<u>Locality</u>	<u>Project Type</u>	<u>Awarded</u>
Hanover County	Security System - Camera	13,799.00
Cumberland County	Security System - Upgrade	2,779.39
Dickenson County	Processing - Indexing	907.00
Bedford County	Processing - Loose Papers	16,757.00
Campbell County	Reformatting - Addendum	516.00
Dinwiddie County	Reformatting - Addendum	3,378.63
Wise County	Reformatting - Film to Digital	6,945.00
Chesapeake City	Reformatting - Paper to Digital	13,518.00
Wise County	Reformatting - Paper to Digital	1,750.00
Williamsburg City	Preservation - Storage	6,085.00
Fairfax County	Preservation - Supplies	4,560.00
Franklin County	Reader/Printer	10,124.00
Mecklenburg County	Reader/Printer	12,335.60
Bedford County	Item Conservation - Book	3,954.00
Buckingham County	Item Conservation - Book	4,994.00
Danville City	Item Conservation - Book	14,824.00
Dinwiddie County	Item Conservation - Book	15,749.00
Fauquier County	Item Conservation - Book	7,568.00
Fluvanna County	Item Conservation - Book	9,476.00
Lunenburg County	Item Conservation - Book	4,461.00
Madison County	Item Conservation - Book	4,998.00
Mecklenburg County	Item Conservation - Book	4,780.00
Montgomery County	Item Conservation - Book	10,941.00
Pittsylvania County	Item Conservation - Book	4,021.00
Prince Edward County	Item Conservation - Book	4,995.00
Roanoke County	Item Conservation - Book	4,035.00
Rockingham County	Item Conservation - Book	12,022.00
Shenandoah County	Item Conservation - Book	3,904.00
Southampton County	Item Conservation - Book	4,999.00
Stafford County	Item Conservation - Book	4,951.00
Surry County	Item Conservation - Book	3,943.00
Virginia Beach City	Item Conservation - Book	4,978.00
Washington County	Item Conservation - Book	1,442.50
Williamsburg City	Item Conservation - Book	4,972.00
Wise County	Item Conservation - Book	4,978.00
		234,440.12