

# County Court Minutes as a Genealogical Resource for Colonial-Era Virginia

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6 November 2023

## Abstract

Genealogical research of families who lived in Virginia, particularly those of the colonial era, depends in large part on primary documentary sources. Many of us are familiar with land deeds and land grants, probate records, marriage registers, land and property tax lists, church parish registers, and American Revolution service and pension records. An underutilized and underappreciated resource is that of county court minutes (also called court orders). This article presents several different ways that county court minutes can be used to augment these other types of primary documentary resources to facilitate your research into the families of early Virginia. Most examples here will be from colonial-era Virginia (early 1600's to 1783), but these concepts will also apply to Virginia after the American Revolution, as well as to other colonies and states of early America.

## What are county court minutes and why are they important?

In each county of colonial-era Virginia, a judicial court existed to perform a variety of functions, including hearing both criminal and civil cases, ordering the recording of deeds and wills, appointing guardians, executors, and administrators, assigning and swearing-in of county and military officers, and more mundane administrative activities like road orders, issuing of licenses for ferries and ordinaries (taverns with fixed prices), and paying out of county levies for various services performed (like collecting of wolf heads or guarding a prisoner). The county courts typically met monthly, each time for several days.

A clerk in each court recorded the activities of the court in a journal in chronological order. Some entries were summarized, while others contained a great amount of detail. Many of these journals are now available online for free through resources like [FamilySearch.org](http://FamilySearch.org). They are often called either Court Orders or Court Minutes. I prefer the latter term, as the journals contained much more than just official orders of the respective courts. Some of these date from the early 1600's.

Many genealogists avoid court minutes for two reasons:

- They are often not indexed. Even if they are indexed, the indexes are not complete, just listing the main person in each entry, such as the plaintiff in a court

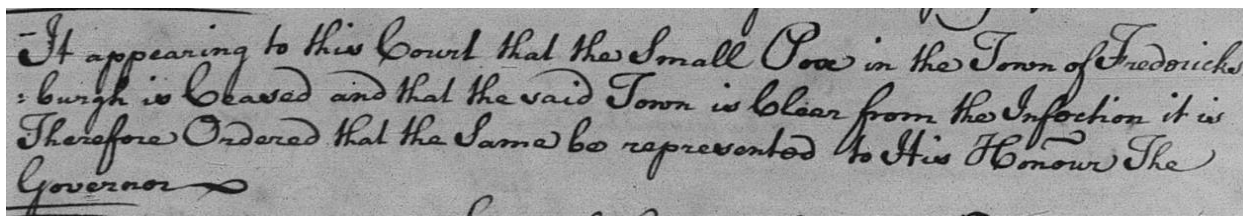
case, the testator in a will, or the grantor in a deed. (Just a small percentage of people mentioned in the court minutes are actually represented in the index.)

- Reading through court minutes sounds dull and is not expected to yield valuable information from a genealogical standpoint for the time invested.

These are valid points. Researching with court minutes is labor-intensive. It requires a lot of patience and time commitment. But, you'll find things in court minutes (genealogical gems, I call them) that you won't find anywhere else. And yes, reading through summaries of civil court cases and issuing of licenses can be a bit tedious, but there are many other types of entries that are much more interesting and can yield valuable information about family relationships, when and where your family lived in a particular county, or what became of your relative.

People are mentioned in court minutes who didn't own land, serve in the military, pay taxes, or leave wills. Women are often underrepresented in other types of primary documentary sources of that time, but are often mentioned in court minutes. The same goes for indentured servants and slaves (blacks and Indians). Also, court minutes can serve as a type of index for finding other types of records. When land or personal property deeds and wills were recorded, an entry was made in the court minutes. If someone died intestate (not leaving a will), the court minutes showed who was assigned as the administrator and who was appointed to inventory the decedent's estate. Orphans often selected their guardian or were bound as an apprentice. If someone was convicted of a crime, the punishment applied (often a fine or bond, extension of the period of indentured servitude, whipping, or hanging) was noted in the court minutes.

Reading through court minutes is much like sitting in the courtroom itself. After a while, you get a good feel for the process, get to know the characters involved, have sympathy for some, and feel revulsion for others. Those entries involving your own relatives might tell you more about their personalities, strengths and weaknesses, and how well they got along with the others in their family and community (or didn't). Punishment in those days was often brutal by today's standards and not equitably meted out. In colonial days, the Anglican Church wielded tremendous power in terms of the law and many of the offenses were reported by church wardens (morality police of their time), including not attending church, working or hunting on the Sabbath Day, using profanity, fornication, or bastardy (a woman having a child outside of marriage). Too often, genealogy is heavily laden with just names, dates, and places. Additional information like that found in court minutes can add some texture to life stories. Calamities faced by the communities – disease, severe weather, and wars or massacres – are often noted in the court minutes. These details are valuable input for genealogists who want to write interesting and accurate family histories.



## How do you find and use court minutes?

Decades ago, you needed to visit a courthouse or an archive to gain access to court minutes. Now, you can find many of them online, for free. Try this page:  
<https://www.familysearch.org/search/catalog>.

On the search screen, you can search by place (county, in this case). First select the radio button “Online”. Then start keying in the county name in the Place field. The dropdown box will automatically populate with entries containing that character string. The one you want will display with “United States, Virginia,” followed by the county name. Select that entry.

You will then be presented with a listing of different categories of records that are available online for that county.

**Refine your search** ▼

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**Notes**

Formed in 1720 from Richmond County. Part of Westmoreland County was added later.  
Part of [United States, Virginia](#)

- » [United States, Virginia, King George - Business records and commerce \( 1 \)](#)
- » [United States, Virginia, King George - Church history \( 1 \)](#)
- » [United States, Virginia, King George - Church records \( 2 \)](#)
- » [United States, Virginia, King George - Correctional institutions \( 1 \)](#)
- » [United States, Virginia, King George - Court records \( 16 \)](#)
- » [United States, Virginia, King George - Court records - Indexes \( 3 \)](#)
- » [United States, Virginia, King George - Genealogy \( 1 \)](#)
- » [United States, Virginia, King George - Guardianship \( 2 \)](#)
- » [United States, Virginia, King George - History \( 2 \)](#)
- » [United States, Virginia, King George - Land and property \( 7 \)](#)
- » [United States, Virginia, King George - Land and property - Indexes \( 1 \)](#)
- » [United States, Virginia, King George - Medical records \( 1 \)](#)
- » [United States, Virginia, King George - Military records \( 1 \)](#)
- » [United States, Virginia, King George - Minorities \( 1 \)](#)
- » [United States, Virginia, King George - Occupations \( 1 \)](#)
- » [United States, Virginia, King George - Probate records \( 6 \)](#)
- » [United States, Virginia, King George - Probate records - Indexes \( 1 \)](#)
- » [United States, Virginia, King George - Public records \( 2 \)](#)
- » [United States, Virginia, King George - Schools \( 1 \)](#)
- » [United States, Virginia, King George - Slavery and bondage \( 2 \)](#)
- » [United States, Virginia, King George - Taxation \( 2 \)](#)
- » [United States, Virginia, King George - Vital records \( 4 \)](#)

Click the little “twistie” to the left of the “Court records” category. Note that there are “Court records – Indexes”, which may relate to the books (volumes) you are interested in. The “Court records” category will present a list of several collections of court records for that county. Look for ones where the author is a government entity, not an individual. Court minutes may be called a number of different things, usually with the words “order” or “minutes” in them. Click on the appropriate link.

**Refine your search** ▼

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- » [United States, Virginia, King George - Court records \( 16 \)](#)

**Print List**

Bond book, 1898-1915	<a href="#">Add</a>
Author: Virginia. Circuit Court (King George County)	
Bond books, 1739-1904	<a href="#">Add</a>
Author: Virginia. County Court (King George County)	
Chancery order book, 1831-1870	<a href="#">Add</a>
Author: Virginia. Circuit Superior Court of Law and Chancery (King George County); Virginia. Circuit Court (King George County)	
Chancery order books, 1814-1831	<a href="#">Add</a>
Author: Virginia. Superior Court of Chancery (Fredericksburg District)	
Charter book, 1899-1960	<a href="#">Add</a>
Author: Virginia. Circuit Court (King George County); King George County	

Office order books, 1823-1833	<a href="#">Add</a>
Author: Virginia. Superior Court of Chancery (Fredericksburg District); Virginia. Circuit Superior Court of Law and Chancery (Spotsylvania County)	
Order book, 1806-1807	<a href="#">Add</a>
Author: Virginia. District Court (Fredericksburg District)	
<b>Order books, 1721-1901; general index to order books, 1822-1842</b>	<a href="#">Add</a>
Author: Virginia. County Court (King George County)	
Record of fiduciaries, 1909-1982	<a href="#">Add</a>

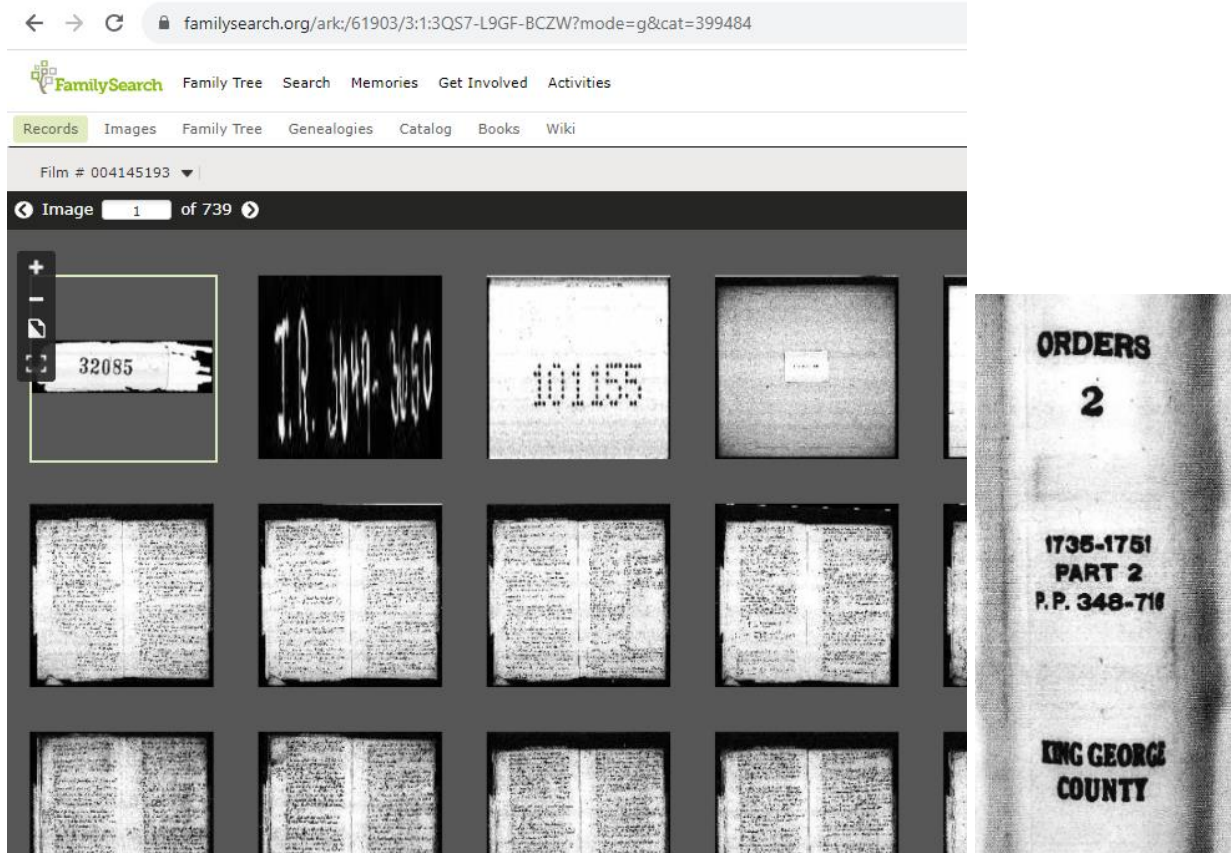
In this example, we'll want to look at the King George County court minutes for 1735 to 1751. Click on the camera icon to the far right to view that entry. Sometimes the camera icon has a key above it, indicating that viewing is restricted to a computer at a Church of Jesus Christ of Latter-day Saints [Family History Center](#), which those who are not members of the church can visit. (I've found that the icon is not always reliable. Try it anyway and you might be able to view it.)

Subjects  
 Locality Subjects  
[United States, Virginia, King George - Court records](#)

#### Film/Digital Notes

Note	Location	Collection/Shelf	Film	Image Group Number (DGS)	Format
General index to order books, 1822-1842 (contains a set of separately bound indexes which were probably pulled from order books, v. 11, 11B, 12, 13, 14a, and 14b).	<a href="#">Family History Library</a>	United States & Canada 2nd Floor Film	1986845 Item 2	6360588	
Index to order book, v. 1 -- Index to order book, v. 2 -- Index to order book, v. 3 -- Index to order book, v. 4. (These indexes may have been separated from the books they index. They give case name and page number but no dates.)	<a href="#">Family History Library</a>	United States & Canada 2nd Floor Film	1986861 Items 2 - 5	7644934	
Order book, v. [17], 1721-1734 (photostat copies; pt. 1, p. 1-222; pt. 2, p. 223-452; pt. 3, p. 453-[685?]).	<a href="#">Family History Library</a>	United States & Canada 2nd Floor Film	32054	4145189	
Order book, v. 2, 1735-1751 (original?; pt. 1, p. 3-347 (missing p. 5-28); pt. 2, p. 348-716).	<a href="#">Family History Library</a>	United States & Canada 2nd Floor Film	32085 Items 1 - 2	4145193	
Order book, v. [37], 1751-1756 (photostat copies; pt. 1, p. 1-307; pt. 2, p. 308-[628?]).	<a href="#">Family History Library</a>	United States & Canada 2nd Floor Film	32055	4145190	
Order book, v. [37], 1756-1765 (photostat copies; pt. 3, p. 629-927; retake of pt. 3, p. 900-927; pt. 4, p. 928-1254).	<a href="#">Family History Library</a>	United States & Canada 2nd Floor Film	32056	4145191	
Order book, v. [4-A?], 1766-1789 (original?; p. 5-446; missing p. 1-4) -- Order book, v. [4-B?], 1786-1792 (p. 1-160) -- Order book, v. 5-A, 1790-1799 (p. 1-	<a href="#">Family History Library</a>	United States & Canada 2nd Floor Film	32077	4145192	

The scanned images (typically several hundred) will now appear for the microfilm. There may be several different books or volumes contained within. Click to view the particular image and zoom in.



The challenges of reading through the court minutes, when you first start, are understanding the legal terminology and interpreting the handwriting. There are a number of online resources that can help with both. For legal terminology, here is a useful page:

<http://www.milaminvirginia.com/glossary.html>

Here is a resource relating to handwriting:

<https://www.ruralvt.com/ancientroads/documents/EarlyAmericanHandwriting.pdf>

You can find many other helpful resources, both online and in print.

The best way to improve your competency in reading and understanding court minutes is to do it. Start with the mid-to-late 1700's and pick a book with sharp images that are easy to see. The handwriting in that time period is not that different from today, while the handwriting in the mid-1660's is quite a challenge until you get used to it. So, start with a more recent book and work your way backwards, decade by decade. Your mind will make the adjustment in recognizing the handwriting as it gradually changes. Compare these three samples, from 1783, 1700, and 1657.



At a court court? & held for Spot. County Sept. 19<sup>th</sup> 1783.  
 Pres.<sup>r</sup> Pres<sup>r</sup> Winslow Tho.<sup>s</sup> Olson  
 James Lewis & Mich<sup>l</sup> Payne } J. G.  
 4 Collins agt<sup>r</sup> v. Owens & al.  
 4 Innings v. Thompson & Co.  
 4 Allan v. Slaughter. Abrahamian Sp<sup>l</sup> Imp<sup>t</sup>.  
 4 Atkinson v. Lenno Att<sup>r</sup>. Cont<sup>d</sup> of Garnishee  
 Catharine Woodroof came into court by David Woodroof her best friend and  
 claimed property in three of the Slaves attached by Thos. Chiles and his  
 Sarah Anthony & Coll<sup>d</sup> David Woodroof claimed property in the  
 Slave Nell - The Court are of Opinion the Slaves Sarah, Anthony &  
 Nell are of the Court are of Opinion the Slaves Sarah, Anthony & Nell

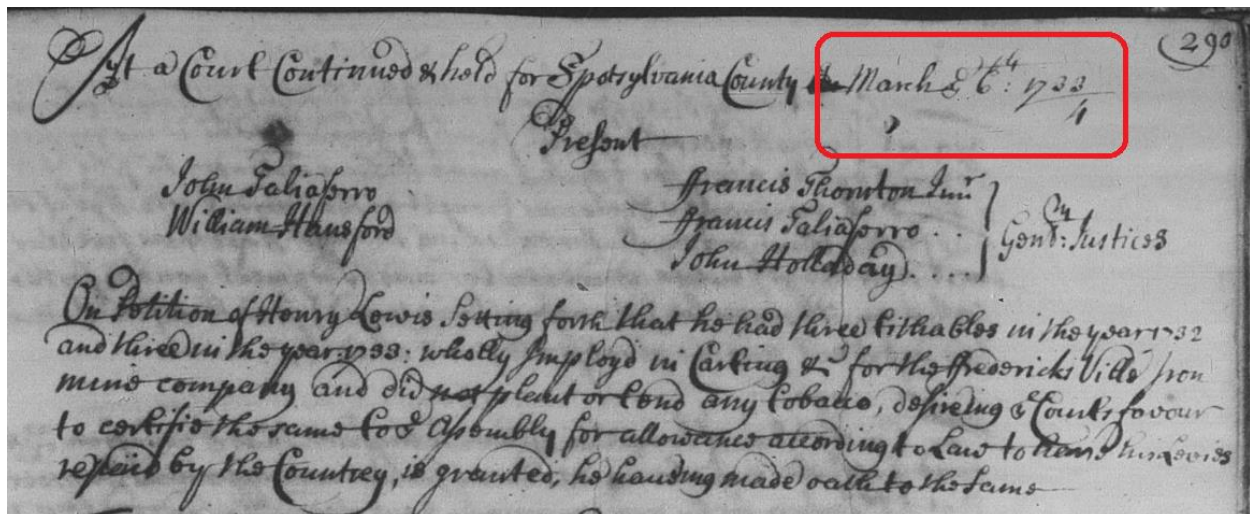
At a Court held for Richmond County R. 15<sup>th</sup> of Dec<sup>r</sup> 1700  
 Present: { Col<sup>l</sup> Geo. Tayler } m<sup>r</sup> Alex<sup>d</sup>. Doniphan } Justices  
 { m<sup>r</sup> John Damm } m<sup>r</sup> John Baker }  
 { m<sup>r</sup> Wm. Anderson }  
 This day m<sup>r</sup> Sam<sup>l</sup> Bachey after having taken the Oath of  
 appointed by Act of Parliament instead of the Oaths of al-  
 Francis & Primacy and having signed the application  
 It was admitted & sworn a Justice of the Peace for

21 9<sup>th</sup> 1657. This Let<sup>r</sup> of Attor<sup>y</sup> was Recorded  
 of I know all men by these Writs that I Henry Wether see  
 an I authorize Abraham Byram to be my true & lawfull  
 Attorney for me & in my name I stand to implund for  
 Davis as also to Recover a possession of my house and  
 Land at great Overcomers, also I do instruct my  
 Attorney with power to use all lawfull means for to  
 Recover all appertaining unto me the H<sup>on</sup>. Wether  
 as namely the Patent of the Land, & what my  
 said Attorney shall see in the premises according to Law  
 I do allow of & continue in full force

Most of the court minutes books for colonial Virginia will follow a similar format. Some will have an index. As noted before, the index is only a partial one, listing the primary

person on some of the entries (plaintiff in a court case, testator of a will, or grantor in a deed). Often, the index will only show a last name. There are many more secondary names in an entry that you won't want to miss, so reading the book sequentially, page by page, is the only way to make sure you don't miss anything that might be meaningful for your research. It also helps you to become more familiar with the format, handwriting, and names and personalities of individuals in that county and timeframe. It's also a lot more interesting that way.

At the beginning of each day that a court was in session, you'll find an entry like this, with the session date and names of the Justices of the Peace, most of whom were [Gentlemen](#). Notice the date. England and its colonies switched from the Julian calendar to the Gregorian calendar on 14 September 1752. (The prior day was 2 September 1752, so 11 days were "lost".) One significant result of this change was that the new year would henceforth start on 1 January. Prior to the adoption of the Gregorian calendar, the start of the new year in colonial Virginia was 25 March. Dates between 1 January and 24 March were in the same calendar year as the prior December, November, October, etc. So, the day after 31 December 1733 would have been 1 January 1733. Gradually, prior to the switch, these dates between 1 January and 24 March were sometimes written like the following example, 1733/4, where both the Julian and (soon to be) Gregorian years were shown. There was not this discrepancy in the year for dates between 25 March and 31 December.



When abstracting entries for your research, use a citation that will enable others to find that particular entry. Here is an example of how you might abstract it. My preference is to record the content and spelling verbatim, but to take some liberties with capitalization and punctuation to make it more readable. For parts of the entry that are not relevant (such as some legal formalities) or are illegible, use an ellipsis (. . .). I typically write numbers greater than 10 as numerals instead of the words, and standardize dates in day-month-year order (e.g., 6 Mar 1733/4), for readability (enclosing both in brackets to indicate they are not verbatim).



If someone is really interested in looking at the entry in its entirety as it was written, they can use your citation to easily go back and peruse the original.

### *Spotsylvania County, Court Minutes (1730-1738)*

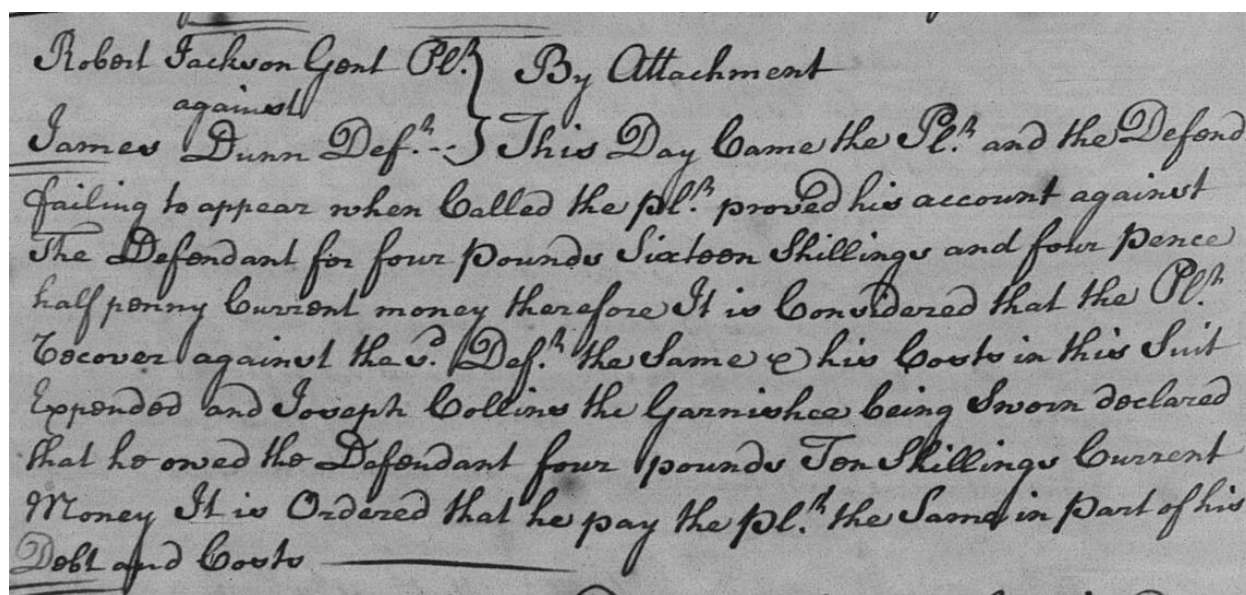
#### **p. 290 (6 Mar 1733/4)**

“On petition of Henry Lewis setting forth that he had three tithables in the year 1732 and three in the year 1733 wholly employed in carting, etc., for the Fredericks Ville Iron Mine Company and did not plant or tend any tobacco, desiring the Court’s favour to certify the same to the Assembly . . .”

What types of entries will you find and what will be of genealogical importance?

#### Court Cases

Many of the entries will be summaries of civil court cases. These are not typically of much interest from a genealogical standpoint, but even these summaries may mention relationships between the parties involved. They are also important in showing where your relative lived at any point in time, even if they don’t show up in deeds, wills, tax lists, etc. Most people, or at least someone in their immediate family, will appear in the court minutes for various reasons. If they reside outside the county, that will often be noted.



Robert Jackson Gent Pl.<sup>t</sup> By Attachment  
James Dunn Def.<sup>t</sup> } This Day Came the Pl.<sup>t</sup> and the Defend.<sup>t</sup>  
failing to appear when called the pl.<sup>t</sup> proved his account against  
The Defendant for four pounds Sixteen Shillings and four pence  
half penny current money therefore It is Considered that the Pl.<sup>t</sup>  
to recover against the D. Def.<sup>t</sup> the same & his costs in this Suit  
Expended and Joseph Collins the Garnishee being Sworn declared  
that he owed the Defendant four pounds Ten Shillings Current  
Money It is Ordered that he pay the pl.<sup>t</sup> the same in part of his  
Debt and Costs

Protracted lawsuits may end (abate) when either the plaintiff or defendant moves out of the county. This can be useful in pinpointing the time of a relative’s relocation.

John Ballendine ..... Pl<sup>t</sup>  
 Charles Triplett ..... Def<sup>t</sup> } In Debt  
 This suit abates the sheriff having returned that the Def<sup>t</sup> is no inhabitant  
 of this County  
 John Taylor ..... Pl<sup>t</sup>

The lawsuit will also abate upon the death of one of the parties. In this case, this was the only primary source mentioning the death of Thomas Triplett in 1772.

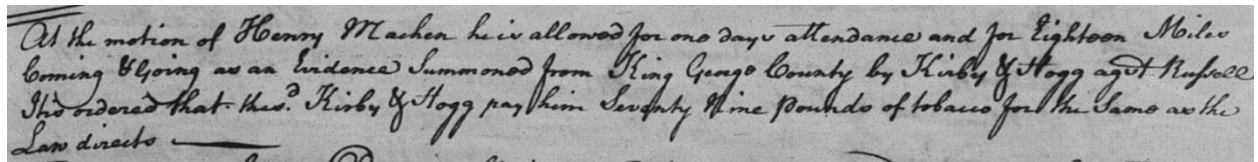
At a Court continued and held for Loudoun County June the 26<sup>th</sup> 1772, (Friday).  
 Present Thomson Watson Esq, Craven Peyton,  
 William Douglass, Fleming Patterson. &  
 Stephen Donaldson Gent. Justices  
 Samuel Davis Plaintiff } Trovops on the Case.  
 Thomas Triplett Defendant }  
 The Defendant being dead the Suit abates.

Indentured servants were able to sue their masters in court for abuse, but they were rarely successful. (Sometimes they were.)

On Complaint of John Long a Servant boy against his Master James Roy for beating and  
 misusing him &c. the Court having heard the Evidence & Arguments on behalf of each party, Do order  
 That the same be Dismissed and that the said Servant pay Costs

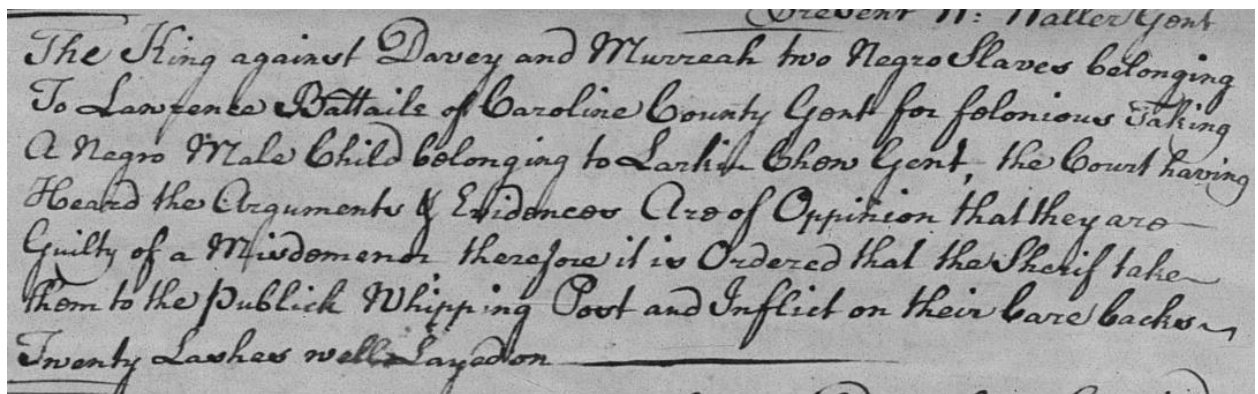
On the Complaint of Anne Nallman a Servant woman belonging to Joseph Bell  
 against her said Master for beating and Misusing her Ordered that thes. Bell  
 Do find her Sufficient Washing and Lodging according to Law and to Give her  
 Three Brown Linen Shifts Two pair Stockings one pair of Shoes, a Cotton  
 or Flannel Coat & Waistcoat and not to correct her without the Leave of a  
 Justice of the peace and Ordered that thes. Bell do pay William Sallix for  
 keeping the said Servant from the 20<sup>th</sup> of September to this day Six Shillings  
 Current money

Witnesses who were summoned in court cases to testify on behalf of the plaintiffs or defendants were compensated for their time and travel, sometimes coming from outside the county.



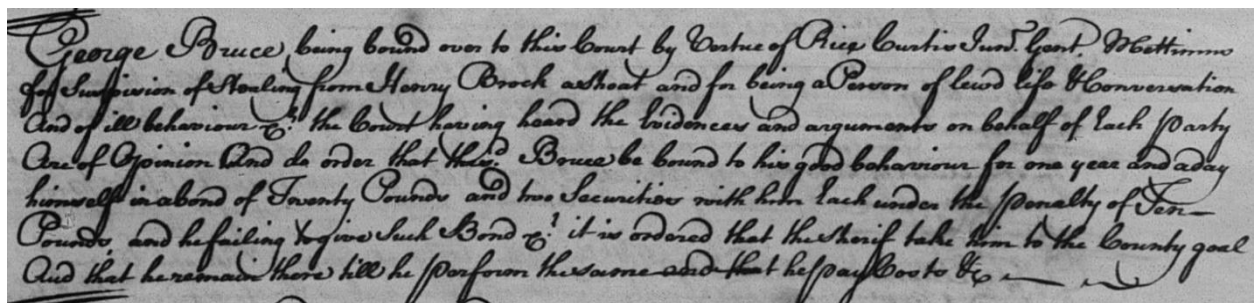
At the motion of Henry Masher he is allowed for one days attendance and for Eighteen Miles coming & going as an Evidence Summoned from King George County by Kirby & Hogg agt Hupsee. The ordered that th<sup>rs</sup> Kirby & Hogg pay him Seventy Nine pounds of tobacco for the same as the Law directs

Criminal cases, then as today, show the conflicts between the inhabitants of the county, good and bad, black (and Indian) and white, servant, slave, and freeman, rich and poor. The punishments, prescribed by law, are often brutal by today's standards in western countries, and show why the 8<sup>th</sup> Amendment of the Bill of Rights forbid cruel and unusual punishments.



The King against Davey and Murreeah two Negro Slaves belonging To Lawrence Battaille of Caroline County Gent for felonious Taking A Negro Male Child belonging to Larkins Chow Gent, the Court having Heard the Arguments & Evidence is of Opinion that they are Guilty of a Misdemeanor therefore it is Ordered that the Sheriff take them to the public Whipping Post and Inflict on their bare backs Twenty Lashes well layed on

Non-whites and indentured servants were punished far more severely. Free whites, such as George Bruce, for “stealing a shoat and for being a person of lewd life & conversation and of ill behaviour”, was convicted and sentenced to post a bond of £20 and behave himself for one year and a day.



George Bruce being bound over to this Court by Virtue of Rice Custis Just Gent. Whetting his Suspicion of stealing from Henry Brock a shoat and for being a Person of lewd life & conversation and of ill behaviour, the Court having heard the Evidence and arguments on behalf of each Party are of Opinion and do order that th<sup>rs</sup> Bruce be bound to his good behaviour for one year and a day himself in a bond of Twenty Pounds and two Securities with him each under the Penalty of Ten Pounds and refusing to give such Bond &c. it is ordered that the Sheriff take him to the County goal And that he remain there till he perform the same and that he pay Costs to the

The pillory (or stocks) was another punishment imposed for minor offenses like “fraud, deceit, & unlawful device in playing at cards with one Honorius Powell & winning £5 current money from the s'd [said] Powell by cheating him”.



On the Indictment exhibited by Justice Lewis Esq. attorney for our Lord the King against Saunders for fraud Deceit & unlawful Device in playing at Cards with one Thomas Powell Condemned current money from the Court by cheating him at Cards. the Grand Jury having found And the<sup>d</sup> Cubes alias Saunders being brought by the Sheriff to the bar. & the<sup>d</sup> Indictment be<sup>ing</sup> Pleaded not Guilty, And a Jury being Summoned tried and sworn namely Joseph Collins heard the arguments and evidences on behalf of our Lord the King & the<sup>d</sup> Cubes alias Saunders Some time returned the following Verdict We find the Defendant Guilty. George Chapman Verdict is admitted to record and it is Considered by the Court that the<sup>d</sup> Cubes alias Sa<sup>nders</sup> in the Pillory one hour It is therefore ordered that the Sheriff inflict the<sup>d</sup> Punishment on

More often than not, felony cases against black slaves and Indians resulted in the defendant being sentenced to death by hanging. If a slave was executed, the court determined his/her worth and compensated the owner, as in this 1741 case of Dick, a "negro man slave", convicted of burglary of one "check linnen apron and a bottle of salt of the value of five shillings sterling", as well as putting the wife in "bodily fear". Dick's worth was adjudged to be £45 current money, which was paid to his owner.

Dick negro man Slave of Henry W. Gargins being brought to the bar for his trial And being charged with felony and Burglary <sup>for breaking & entering the house of James Sparrow</sup> the wife of ~~the~~ James Sparrow in his house & for putting her in bodily fear and for taking one check linnen Apron and a bottle of salt of the value of five shillings sterling the goods of the<sup>d</sup> James Sparrow which he did steal & carry away Against the peace of our Lord the King & as in his Indictment is set forth. And on his Arraignment the<sup>d</sup> Dick Pleaded Not Guilty And Thereupon the Several Witnesses against him were sworn & examined to wit Sarah Sparrow And John Sparrow which the Court having heard and considered Together with the<sup>d</sup> Dick's Confession, Are of Opinion that he is Guilty of the Charge laid against him in the<sup>d</sup> Indictment, And that he Ought to be punished by hanging for the Same Therefore it is Considered by the Court that he be carried from here to Prison And that on Friday the Seventh day of this Instant he be by the Sheriff hanged by the neck Until he be dead, And this Court are of Opinion that the<sup>d</sup> Dick is Worth Forty five pounds current money

At the same court, same day, William Thomas (a white man) was convicted of attempted rape of a 9-year-old girl and was required to post a bond for £10 to ensure his good behavior for a year and a day "to all His Majesty's leige people, especially to the s'd Rebecca Gibson" (the girl).



#  
John Edwards Gent. Warrant & Verdict against William Thomas for attempting to Commit  
A rape on the body of Rebecca Gibson a Child of about Nine Years old and the same being read and  
tho<sup>t</sup> Thomas pleading not Guilty the Court having examined the witnesses are of Opinion that  
he be bound to his good behaviour for one year and a day himself in bond of Ten pounds Curr<sup>t</sup>  
Money and Two Sureties with him Each in five pounds Current money, and Thereupon tho<sup>t</sup>  
Thomas came into Court together with John Thornton Gent. and Joseph Colvert his Sureties  
And acknowledged themselves indebted to our Sovereign Lord the King his heirs & Successors in  
tho<sup>t</sup> Thomas in Ten pounds Current money & Tho<sup>t</sup> Colvert & Thornton in five pounds Curr<sup>t</sup>  
Money Each to be levied of their several lands and Tenements goods & Chattells on Condition  
of tho<sup>t</sup> Thomas's being of the good behaviour one year and a day to his Majesty's laige people  
Especially to tho<sup>t</sup> Rebecca Gibson

## Probate

Wills are a great source of genealogical information. Court minutes provide a summary when the will was submitted to the county court, showing the names of a number of different people associated with the will - testator (decedent), Executors, witnesses, and those assigned to inventory and appraise the estate. As the following entry shows, there were sometime disputes that would result in lawsuits. If the will book is extant, not missing or damaged, you can use the date of this entry to find the copy of the will itself.

The Last will and Testament of Henry Goodloo Gent Deced<sup>t</sup>  
being exhibited and Sworn to in Court by Robert Goodloo one of the  
Executors therein Named Robert Durrett, the other Executor having  
Refused to accept the Executorship and the same was proved by the  
Oath of John Minor Gent one of the Witnesses to the said Will  
Whereupon Certificate in due form is Granted him for obtaining  
Letters of Probate And it is Ordered that John Crane John Farish Sen<sup>t</sup>  
Thomas Coleman and John Carter or any three of them being first  
Sworn before some Magistrate of this County do appraise all the deced<sup>t</sup>  
Estate as shall be Shown them by the Executor, and that they do set  
Apart the widows' thirds of the Slaves belonging to the said Estate  
she having Signified from under her hand that she would not abide  
by the Decedents Will, and that they return their proceedings to the  
Next Court



Many people died without writing a will. These were termed intestate. Instead of an Executor, an Administrator was assigned, often the surviving wife or a trusted son or brother. These entries might be the only evidence of a person's death and the name of the surviving spouse.

On Motion of Tabitha Foster widow, Administration is granted her on her husband Edmund Foster Deceased Estate She having Given bond & Taken the Oath as the Law Directs, Certificate thereupon in Due form is granted her for Obtaining Letters of Administration and it is Ordered that Thomas Duwison, John Durrett, Henry Brock and William Brock or any Three of them being first Sworn before some Magistrate for this County do Appraise all the Estate of thes. Deceased as shall be Shown them by the Adm<sup>r</sup> And return their Proceedings to the next Court

Some people spoke their Last Will & Testament upon their deathbed to those near them, without it being written down. These are called noncupative wills, and can be proved in court by the witnesses.

The Noncupative Will of Thomas Collins Deceased being Exhibitted In Court the Same was proved by the Oaths of Ignatius Turman William Gatwood & Henry Brock the Witnesses thereto & it is ordered that the Same be recorded — about John Waller Court

As with intestate deaths, you probably will not find a record of noncupative wills in many will books and the entry in the court minutes might be the only evidence of that person's death and names of witnesses.

Estate settlements in court minutes are a good way to find the first names of wives (long before marriage records became generally available).

as the Widow has reported it —  
 Betty Taylor Ex<sup>rs</sup> of having Not Returned an Inventory of her husband, Estate the Same w<sup>ill</sup> be continued  
 Alice Grayson Ex<sup>rs</sup> of having Not Returned an Inventory of her husband Ambrose Grayson gone Deceased Estate the Same is continued

## Deeds

When deeds were recorded, an entry was written in the court minutes. This can be helpful to know, if the deed book is not indexed (or is missing or unavailable). You can

use the date of the entry to find the complete deed in the deed book. The entry in the court minutes often shows the names of the witnesses whose oaths “proved” the deed; the witnesses’ names are not typically in the deed book’s index. Wives of grantors were interviewed outside of their husband’s presence (“privately examined”) to make sure they agreed to relinquish the dower to that land to which they were entitled by law. (Land deeds usually named the wife of the grantor, since she had to relinquish dower in order for the land sale to proceed. The wife of the grantee was rarely mentioned in the deed.)

John Holladay and Elizabeth his wife, she being first privately Examined  
Acknowledged their Deed for Land to John Wiglesworth Ordered to be  
Recorded

Robert Coleman and Elizabeth his wife she being first privately Examined  
Acknowledged their Deed for Land to John Pain which is admitted to record

Abraham Rogers and Barbary his wife, she being first privately Examined  
Acknowledged their Deed for Land to Henry Bartlette, Ordered to be  
Recorded

Deeds of Gift are especially helpful, as they are often a contract between family members. Court minutes like this one explicitly refer to the relationships (a mother Mary Gresham to her children Mary Johns, William Gresham, and Rachel Gresham). The date of the court minute entry can be used to find the complete deed in the deed book.

Mary Gresham acknowledged her deed of gift for Sundry Goods &c to her Children  
Mary Johns, William Gresham and Rachel Gresham and is ordered to be recorded

## Jury Selection

Each month, a [Grand Jury](#) was selected to hear the court cases. These were white adult male freeholders (those who owned land), often selected by the County Sheriff. This is a good way to find if your relatives were living in a county and owned land (white males over age 21, that is).

The Grand Jury being summoned as the Law directs for the body of this County by name Edward Hornum Junr. William Bartlett Thomas Graves George Carter Benjamin Martin Henry Lewis William Housley William Richardson James Roy John Smith Henry Rogers Samuel Housley Mark Whisler James Brown John Burnett James Stevens Peter Montagu Nicholas Hawkins John Wood Thomas Graves and John Wiglesworth who after being sworn & received their charge from the court retired and after some time returned and brought in their several presentments, which were read viz:

## Guardians

Orphans were often allowed to choose their own guardian. Based on these entries, it may be possible to find additional information in probate records or guardian's bonds. If the father died intestate, this might be the only record of his death.

George Fryman Orphan of George Fryman Deceased came into Court and chose William Fryman his Guardian & he gave bond as the Law Directs

In this context, the term "infant" means a minor, one who has not reached adulthood (21 years for males, 18 for females).

John Willis an Infant came into Court and chose John Thornton Gent. his Guardian & he & Thornton entered into bond according to Law

## Petitions

Petitions could be filed for a number of different reasons. These entries often reveal information about a family situation that can be found nowhere else, such as this desertion of his family by William Whiting.

"On the petition of Martha Whiting setting forth that her husband William Whiting is gone away from her & left her with two small children and that Maxfield Brown, father of the s'd Martha, has let her have a cow calf, feather bed, and some other necessaries towards her subsistence. It is ordered that the s'd goods be & remain to the use & for the subsistence of the s'd Martha."



On the Petition of Martha Whiting. Setting forth that her Husband William Whiting is gone away from her & left her with two small Children and that Maxfield Brown Father of the sd Martha has let her have a Cow calf. Heather bed and some other necessaries towards her Subsistence It is ordered that the sd goods be & remain to the use & for the Subsistence of the sd Martha

On rare occasions, women were allowed to legally separate from their abusive husbands.

On Petition of Ann Gibson the wife of Joseph Gibson to have a separation and a Division between her and her husband Joseph Gibsons Estate Granted her her being a Woman of such Ill behaviour that she cannot Cohabit with him the Parties appeared in Court and by Consent it is Agreed that the sd Ann shall Support her Children at her own Charge and Take and Enjoy the half Part of all the sd Josephs household Goods and whatever she hereafter by her Industry shall get the sd Joseph shall not have any thing to do with it nor Claim any title to it Neither shall she Claim any right or title to any <sup>thing</sup> he may hereafter get by his Industry, Which Agreement is approved of by the Court

Petitions could be as varied as empowering the court to whip persons for petty larceny, or altering the days for holding fairs in Fredericksburg

And the same being read it is ordered to be certified  
 A Proposition being presented for Empowering County Courts to whip Persons for Petty Larceny whenever it is found to be proper  
 A Proposition for Altering the days for holding Fairs in the town of Fredericksburgh being read, it is ordered to be certified

. . . or preventing "hoggs running at large in the s'd town" and "brick or stone chimneys built to every house the in the s'd town"

John Edwards Gent, in behalf of himself & Others, Inhabitants of Fredericksburgh town, exhibited a Proposition, to prevent Hoggs running at large in this town, also to prevent several Lots being added to this town and to have brick or stone Chimneys built to every house in this town, Which being read It is ordered to be certified

. . . or even procuring tables and chairs for the Justices

Francis Taliaferro Gent. is Desired and appointed to agree with James Allan to make a handson Oak Table for the Justice room, and he to be paid for the same by the County at the laying the next levy —

Francis Taliaferro Gent. is Desired and appointed to agree with Mr. George Tilly for a dozen handson leather chairs for the Justice room, and to be paid for the same by the County at the laying the next levy —

## Road Orders

Residents of a county were responsible for building and maintaining its roads. The person in charge of a particular stretch of road was called an overseer (or surveyor, in earlier records). The white male [tithables](#) (over age 21) provided the labor for the work. The description of the road is helpful in determining where in a county your relative lived, as the overseers were typically assigned to their own locality. The term “room” means vacancy. In this example Henry Lewis’s responsibilities as overseer were being handed over to William Cape – to serve “in his room”.

On Motion of Henry Lewis he is Discharged from being Overseer of the road from the Pond called the head of Pigeon to Terry's Run. And William Cape is Ordered to serve in his Room And All the Tithables which served under the said Lewis Are now Ordered to serve under the said Cape and to help him clear and keep in good Repair the said Road —

Here, the overseer Joseph Roberts petitioned to have more laborers added to his “gang”. These were presumably men in his neighborhood.

On the Petition of Joseph Roberts <sup>overseer of road</sup> to have more People Added to his Gang it is ordered that Robert Coleman, Joseph Collins, Taliaferro Cragg, James Jones, John Bruce, George Musick Junr. And Col. Gaven Robins Hisory Quartr And their Male labouring Tithables be Added to the said Roberts Gang to help him clear & keep in good Repair the said road —

The responsibilities of the road overseers were taken seriously. Francis Taliaferro was called in by the Grand Jury for not keeping a bridge over the Hazel Run in his stretch of road in good repair. He responded that the proprietor of the land would not allow him to use his timber. Too bad, they said, buy it from someone else and we’ll reimburse you from the tax levies.



Francis Taliaferro Gent. came into Court and answered to the presentment of the Grand Jury for not keeping the hazel run bridge in repair he being Overseer thereof. And swore that he was forwarned from making use of any timber to repair the same with by Richard Tuttle Gent. proprietor of the said land. It is ordered that the said Taliaferro buy such timber as is necessary of any One that is convenient or that will sell such timber as will do the same and that he be paid for it by the next Laying <sup>country of</sup> ~~the~~ <sup>of the</sup> next Levy of the next Levy

## Immigration & Citizenship

Under the [headright system](#), immigrants to Virginia who paid for their own passage were entitled to a grant of 50 acres of land. In the court minutes entries, the place of last residence was usually noted (Barbados, in the case of this man)

Robert Brown in order to prove his right to take up Fifty Acres of land according to the royal Instructions came into court and made oath that he was imported into this Colony immediately from Barbados ~~about~~ <sup>Thirteen</sup> years ago and that this is the first time of his proving his said right which was ordered to be Certified

. . . and two immigrants from Ireland on 4 March 1746/7.

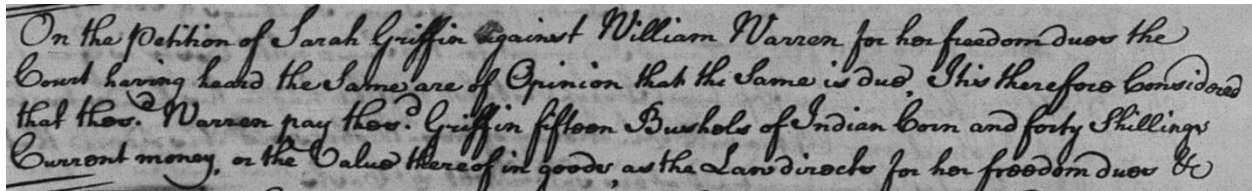
Peter Maguire and Catherine his wife In order to prove their rights to Take up Fifty Acres of Land Each of them, according to his Majesty's Royal Instructions Came into Court and made Oath ther. Peter that he was Imported into this Colony from Ireland about Seven Years and a half ago & ther. Catherine about Ten Years ago from Ireland and that this is the first Time of Proving Their said Rights which is ordered to be Certified

Sometimes, an entire family group was mentioned, as in this 1735 entry (great for genealogical purposes)!

John Laub Dought made oath in open Court that this is the first time of proving his importation into this Colony and that he imported Mary Catherine, his wife. John Andrew and John Casper, his two sons & Catherine Margareth & Mary Catherine Doughts his two daughters into this Colony and that it is the first time also of proving their importation in order to obtain Rights to Land.

## Indentured Servants

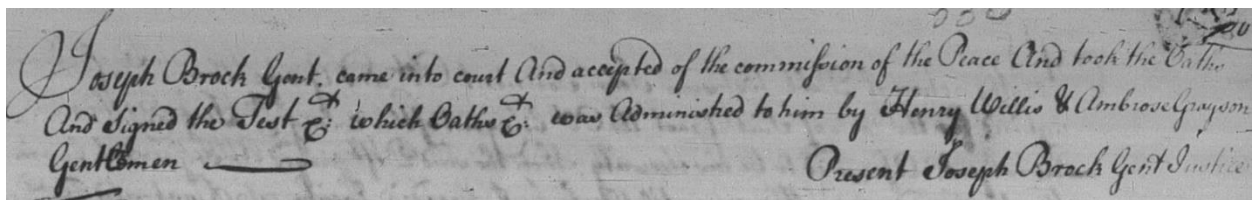
Many immigrants whose passage was paid by others in return for headright grants were committed to indentured servitude for a prescribed number of years. When the servants completed their term, they were often entitled to receive freedom dues, which was recorded in the court minutes. They were then free to marry and own land.



On the petition of Sarah Griffin against William Warren for her freedom dues the Court having heard the same are of Opinion that the same is due. This therefore considered that the said Warren pay the said Griffin fifteen Bushels of Indian Corn and forty Shillings Current money, or the Value thereof in goods, as the Land directs for her freedom dues &c

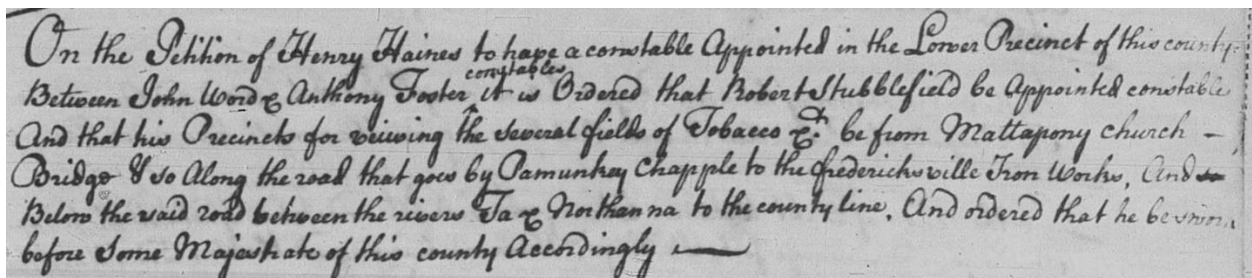
## County Offices

There are a number of positions in each county in which officers were sworn an oath, resulting in an entry in the court minutes. Here, Joseph Brock, Gentleman, was sworn in as a Justice of the Peace.



Joseph Brock Gent. came into court And accepted of the commission of the Peace And took the Oath And signed the Test & which Oath &c. was Administered to him by Henry Willis & Ambrose Guyson Gentlemen  
Present Joseph Brock Gent Justice

Constables were appointed in each of the precincts as part of the Sheriff's staff. One of their key responsibilities was keeping an eye on the tobacco fields, since tobacco was used as currency. This entry from 7 February 1737/8 shows the precinct where petitioner Henry Henry and Constables John Word, Anthony Foster, and Robert Stubblefield lived at the time. They reported farmers who were not properly caring for this cash crop, like allowing "suckers" to form.



On the Petition of Henry Haines to have a constable Appointed in the Lower Precinct of this county Between John Word & Anthony Foster <sup>constables</sup> it is Ordered that Robert Stubblefield be Appointed constable And that his Precincts for viewing the several fields of Tobacco &c. be from Mattapony Church - Bridge &c. along the road that goes by Pamunkey Chappell to the Fredericksville Iron Works, And so Below the said road between the rivers James & North Anna to the county line. And ordered that he be sworn before some Magistrate of this county Accordingly

Each year, a new County Sheriff was appointed, along with his deputies.



Richard Tuttle Gent Presented His Honour The Governor  
Commission to be Sheriff of this County Dated 31<sup>st</sup> of August 17<sup>th</sup> 68 And  
he having Taken the Oath appointed by Law & Subscribed the Test was Sworn  
Sheriff of this County Accordingly

Anthony Foster came into Court and was Sworn Deputy Sheriff  
of this County under Richard Tuttle Gent Sheriff

Names of qualified individuals were put forth to the Governor of Virginia for important county offices such as this one for Coroner.

Ordered that Benjamin Gaymes Gent be returned to His Honour the Governor  
As a Person Qualified to serve as Coroner in this County In the room of Francis  
Thornton Gent Deceased,

### Military Appointments

Many of the leading citizens (and their sons) received commissions as officers in the military. These were especially common during the French & Indian War (1754-1763) and the American Revolution (early 1770's-1783).

William Waller Gent, produced his Hon<sup>ble</sup> the Governor's commission to be Captain of a troop  
of horse in this County & took the oaths appointed by law & subscribed the Test

William Waller Gent Presented a Commission to be Colonel of the horse in  
this County and he took the Oaths and Signed the Test as the Law Directs

### Bastardy

Indentured servants were not allowed to marry without their master's permission (which was rarely granted). If an unwed female servant gave birth to a child (called a bastard or base born child), her length of servitude, by law, was usually extended by a year for "disruption to the household" and she received a public whipping (often 25 lashes on her bare back, "well layed on".) The child, if it lived, would then be indentured out until they reached adulthood (21 years for a male, 18 years for a female). See <https://kb.gcsu.edu/cgi/viewcontent.cgi?article=1119&context=thecorinthian>.

Ordered that Frances Dean a Servant woman belonging to Samuel Hillhouse  
Do serve him One year for having a Bastard Child in his house according to law  
Ordered that the Sheriff take the said Francis Dean to the Public Whipping Post  
And Inflict on her bare back Twenty five Lashes well Layed on for having a  
Bastard Child

Sometimes the father of the child was identified. (He rarely received any punishment, just the mother, even if the child didn't survive.)

Ordered that Margaret Fitch Simons a Servant woman belonging to Mosley  
Battaley Gent do serve him One year for having a bastard Child in his house  
Ordered that the Sheriff take the said Margaret Fitch Simons to the Whipping post  
And Inflict on her bare back twenty five Lashes well laid on & also having declared  
That Gilson Sullivan was the father of the s<sup>d</sup> Child who is Dead &c. Ordered that the  
Same be Entered on the record

## Licenses

Licenses were required and issued for certain professions, among them those operating ferries or ordinaries (taverns with fixed prices), attornies, merchants/peddlers, and clergymen. You may find the relatives you are researching in these entries relating to licenses, often telling where they lived and conducted their business.

William Waller Gent produced his Hon<sup>ble</sup> the Governours license to practice as an  
attorney in the County Courts of this Colony & took the oaths appointed by law &c. & the  
oath of an Attorney & was admitted accordingly

On Petition of John Jones to have liberty to keep an Ordinary in the town  
of Fredericksburgh the Same is Granted the Giving bond & passing the  
Governours dues as the Law Directs

On the petition of George Green to have liberty to keep an Ordinary at the place where John Wigglesworth  
Lived at the cross roads in this County he having rented the same of Thomas Shipp; is granted he having  
Given bond and Security and paid the governours dues as the law Directs Present William Johnston



On Petition of William Burnett to be licensed as a pedlar he being an Inhabitant of this County &  
 Granted, he giving bond & fulfilling what the late Act of Assembly Specifies concerning such Traders.

On Motion of William Hunter Merch<sup>t</sup>. to have liberty to keep a ferry from the  
 Warehouse Landing over Rappahannock river to King George County the same is granted  
 he giving bond and providing a good boat fitting to carry four horses and providing two  
 halves at the Lane Directo

Other Christian sects, including Presbyterians, were allowed to establish houses of worship within the Colony of Virginia.

William, William a proselytarian Minister hath having taken  
 the oaths appointed by Act of Parliament to be taken instead  
 of the oaths of Allegiance and Supremacy and the oath of abjuration  
 Subscribed the Test and likewise subscribed a Declaration of his  
 approving of such of the thirty-nine Articles of Religion as is re-  
 quired & certified his intention of holding his meetings at his  
 own plantation & on the plantation of Morgan Bryan  
 which is admitted to record

### Prices for Ordinaries

Fixed rates for ordinaries included food and drink, lodging, stabling, and pasturage. These prices give you an idea of the relative value of the currency at the time. There were 12 pence to a shilling and 20 shillings to a pound. (Pounds of tobacco, the rightmost column below, were different altogether and varied throughout time and location in their relationship to pounds sterling.) Ordinary owners were not allowed to charge their customers more than these fixed rates.



Ordered that the Rates of Liqueur Diet & Lodging Pasturage Stabling and  
 & forth for Ordinary keepers to Sell at this Ensign Year be as follows

Diet the Meal	Shilling	or	the 100 <sup>o</sup>
Lodging in a feather bed with Clean Sheets	2 <sup>1</sup> / <sub>2</sub>	or	10
Ditto in a flock bed with Clean Sheets	7 <sup>1</sup> / <sub>2</sub>	or	6
Pasturage 24 hours on Stallage and Fodder	3	or	2 <sup>1</sup> / <sub>2</sub>
Corn the Gallon & so in Proportion	7 <sup>1</sup> / <sub>2</sub>	or	6
Run the Gallon & so in proportion	5	or	4 <sup>1</sup> / <sub>2</sub>
	8 <sup>1</sup> / <sub>2</sub>	or	80

Madera Wine the Quart	money	or	the 100 <sup>o</sup>
Punch the Quart made with Brown Sugar & three Gills rum Put therein	2 <sup>1</sup> / <sub>2</sub>	or	20
Ditto the Quart made with Soft Sugar & three Gills rum Put therein	1 <sup>1</sup> / <sub>2</sub>	or	10
Claret the Quart	4 <sup>1</sup> / <sub>2</sub>	or	12 <sup>1</sup> / <sub>2</sub>
Cyder the Gallon & so in Proportion	1 <sup>1</sup> / <sub>2</sub>	or	40
Three white Apples Cyder the Gallon	1 <sup>1</sup> / <sub>2</sub>	or	12 <sup>1</sup> / <sub>2</sub>
Bristol Beer the Quart	1 <sup>1</sup> / <sub>2</sub>	or	15
Small Beer the Quart bottle	3 <sup>1</sup> / <sub>2</sub>	or	12 <sup>1</sup> / <sub>2</sub>
Virginia Ale the Quart	8 <sup>1</sup> / <sub>2</sub>	or	3
New England Rum by the Gallon	if of proportion to be made in all Punch made		
of that Rum			

## Apprenticeships

Orphaned children, or those whose parents were unable or unfit to care for them, were often bound out to others as apprentices to learn useful trades (as appropriate by gender according to the customs of that day). In the colonial era, the welfare of children was the responsibility of the wardens of the Anglican Church. Some entries list the names of one or both of the children's parents.

Ordered that the Churchwardens of this parish do bind out Caleb Maiss & Al.  
 Harman & Sarah Maiss Al. Harman to George Atkinson & his wife -  
 According to Law the boy to be taught the trade of a Wheelwright & Carpenter  
 and the Girl to learn to Knit, Spin & Sew, and to give them Schooling as  
 The Law Directs, the Parents of them being not Able to Educate them &c.  
 On Petition of Robert Coleman to have one Sarah Underdown an Orphan the  
 Daughter of Mary Underdown, bound to him, the same is Granted and it is Ordered  
 That the Churchwardens of this parish do bind her according to law to the<sup>r</sup>. Coleman  
 And the<sup>r</sup>. Girl to be taught to Sew, Knit and Spin and to learn to read &c.  
 Provent John Thomas Clerk

It Appearing to this Court that Charles Tiltus Pigg Doth Neglect to Educate his  
 Children in the Manner prescribed by Law Therefore it is Ordered that the Church-  
 wardens of this parish do bind out Seaton Pigg his Son as the Law Directs &c.

Even the families of free Indians were included. This might be the only record linking the three children (Robin, Nat, & Harry) to their mother Susannah Month.

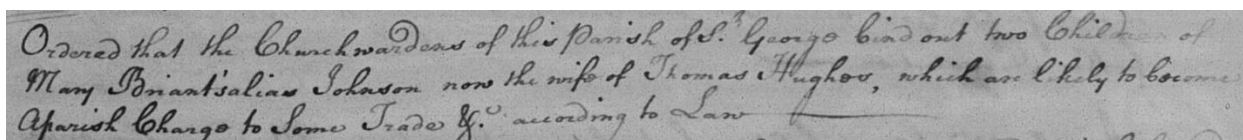
the Clerk &c.  
 It appears to the Court that Susannah Month a free Indian, Neglects to bring up her  
 Children as the Law Directs. It is ordered that the Churchwardens of this parish bind them  
 out as the Law Directs which Children are named Robin, Nat & Harry  
 about Joseph Brock Clerk

"On the petition of John Word to have Nathan Chiles, a poor orphan, the son of Justice Chiles, bound to him, the s'd child being parentless & the s'd Word his godfather. It is granted & it is ordered that the Church Wardens of this Parish bind the s'd child to the s'd Word. The s'd Word is to learn him the trades of a shoemaker, tanner, and sadler & to give him schooling as the law directs, the s'd child to be bound to him till he come of age."

On Petition of John Word to have Nathan Chiles a poor orphan the son of Justice Chiles bound to him, the<sup>r</sup>.  
 Child being parentless & the<sup>r</sup>. Word his Godfather &c. it is granted, & it is Ordered that the Church Wardens of  
 this parish bind the<sup>r</sup>. Child to the<sup>r</sup>. Word, the<sup>r</sup>. Word is to learn him the Trades of a Shoemaker, Tanner  
 And Sadler & to give him Schooling as the Law Directs, the<sup>r</sup>. Child to be bound to him till he come of age  
 the Clerk &c.

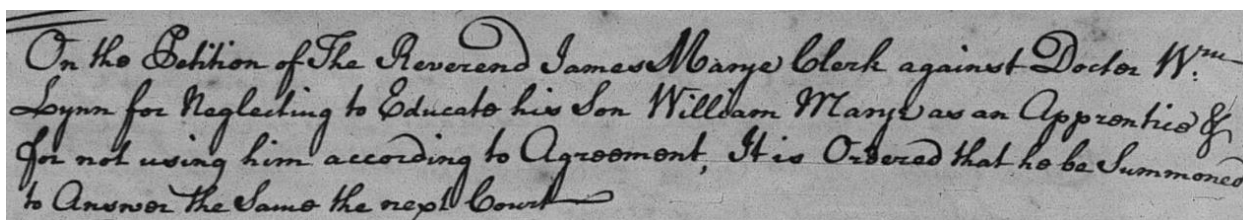
Sometimes the court minutes reveal marriages and relationships that are hard to come by in other primary sources. Here, we see that Thomas Hughes married Mary Briant alias Johnson (one being her maiden name and the other her prior married name). Her two children, named in a later entry when they were indentured, are likely from her prior marriage.





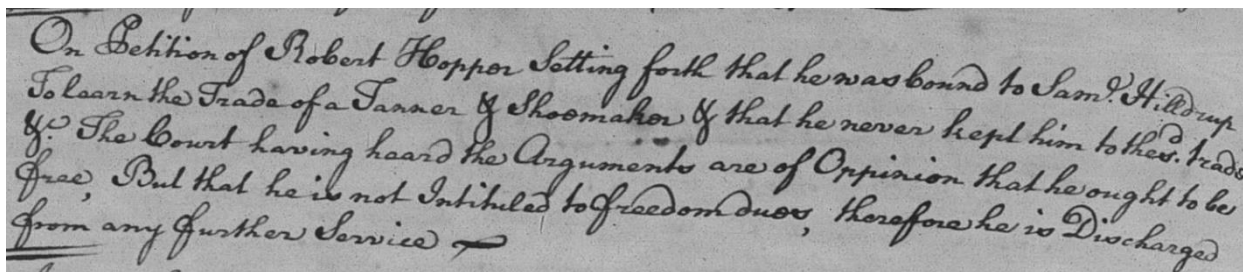
Ordered that the Churchwardens of this Parish of St. George bind out two Children of Mary Briant's alias Johnson now the wife of Thomas Hughes, which are likely to become a Parish Charge to some Trade &c. according to Law

Sometimes, parents who wanted their children to learn a trade bonded the children out themselves. The masters of apprentices didn't always fulfill their responsibilities and were taken to court.



On the Petition of The Reverend James Mays Clerk against Doctor Wm. Lynn for Neglecting to Educate his Son Willard Mays as an Apprentice & for not using him according to Agreement, It is Ordered that he be Summoned to Answer the same the next Court

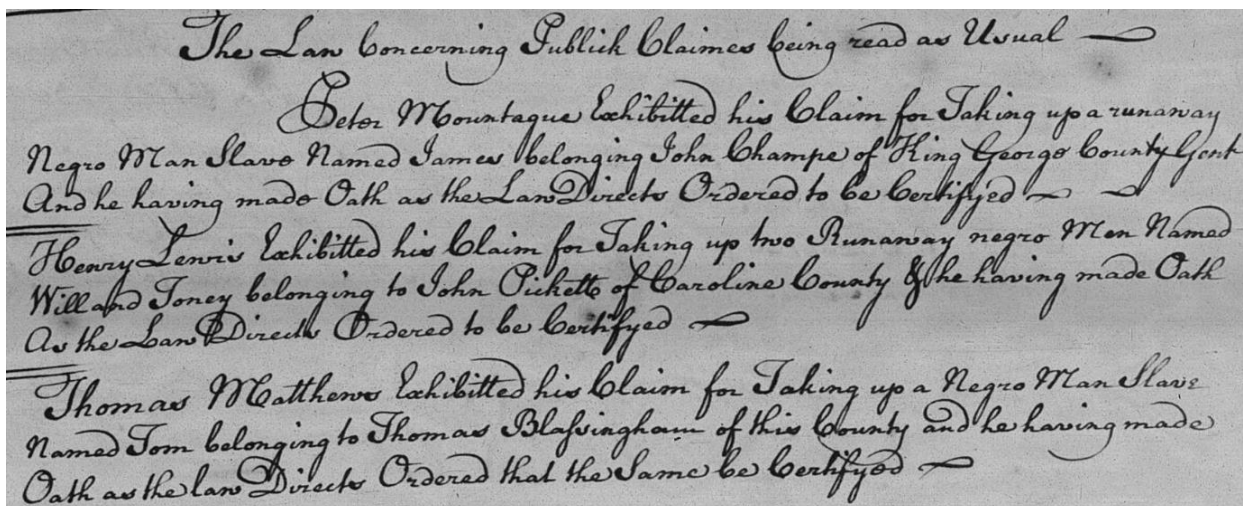
Apprentices also sued for their own release, sometimes successfully.



On Petition of Robert Hopper setting forth that he was bound to Saml. Willard to learn the Trade of a Tanner & Shoemaker & that he never kept him to these Trades &c. The Court having heard the Arguments are of Opinion that he ought to be free, But that he is not Intituled to Freedom dues, therefore he is Discharged from any further Service

### Apprehension of Runaway Servants & Slaves

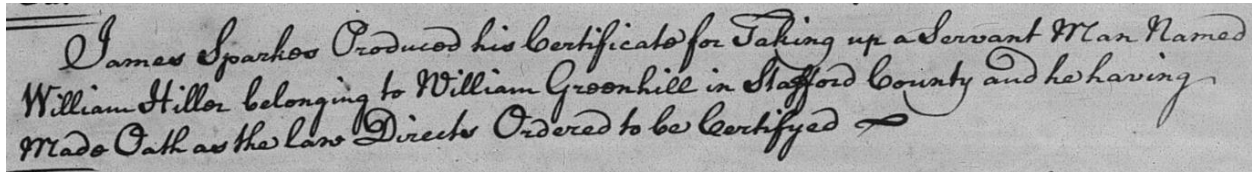
A bounty was paid to those who apprehended and detained runaway slaves. The names of the slaves and their owners, along with other records like deeds and wills, might be useful for descendants of those slaves reconstructing their own ancestry, despite the lack of surnames prior to emancipation.



The Law concerning Publick Claims being read as Usual  
Peter Montague Exhibitted his Claim for Taking up a runaway Negro Man Slave Named James belonging John Champe of King George County Gent. And he having made Oath as the Law Directs Ordered to be Certified  
Henry Lewis Exhibitted his Claim for Taking up two Runaway negro Men Named Willard Toney belonging to John Pickett of Caroline County & he having made Oath as the Law Directs Ordered to be Certified  
Thomas Matthews Exhibitted his Claim for Taking up a Negro Man Slave Named Tom belonging to Thomas Blasingham of this County and he having made Oath as the Law Directs Ordered that the same be Certified

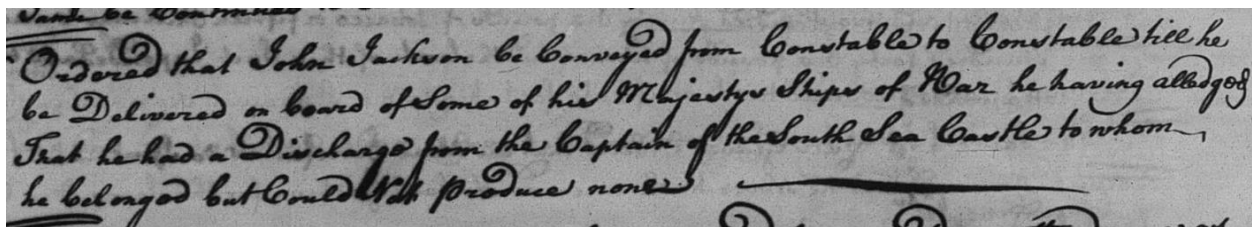


The same applied for apprehension of runaway indentured servants. (Both slaves and servants usually received a whipping upon returned. Additional time was added to the servant's period of indenture, much longer than their time of absence.)



James Sparkes Produced his Certificate for Taking up a Servant Man Named William Hiller belonging to William Greenhill in Stafford County and he having Made Oath as the Law Directs Ordered to be Certified

Even errant British sailors needed to be wary of the “bounty hunters”.

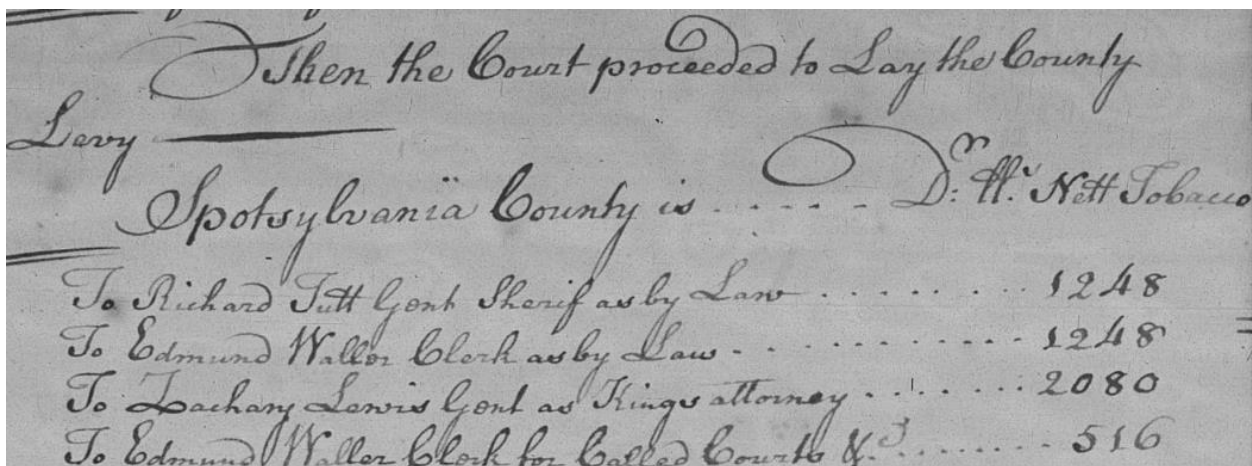


Ordered that John Jackson be conveyed from Constable to Constable till he be Delivered on board of Some of his Majesty's Ships of War he having alleged That he had a Discharge from the Captain of the South Sea Castle to whom he belonged but could not produce none

A database of all mentions of runaway slaves and servants across the colonies and states from the early 1600's to 1865 would be a wonderful genealogical resource for those whose ancestry includes these individuals. Combining this with mentions of slaves in deeds and wills, linking them with their owners, would be a way to compensate the researcher for the lack of surnames. Perhaps the mentions of indentured servants could be linked to the names of imported individuals listed on headright grants.

### Levies Paid for Services

Each year, levies from taxes were paid out to county officers and for services rendered.



Then the Court proceeded to Lay the County Levy

Spotsylvania County is . . . . . D. H. Nett Tobacco

To Richard Tutt Gent Sheriff as by Law . . . . .	1248
To Edmund Waller Clerk as by Law . . . . .	1248
To Zachary Lewis Gent as Kings attorney . . . . .	2080
To Edmund Waller Clerk for Called Courts &c . . . . .	516

To The Estate of Edmund Foster Deceased late Deputy Sheriff 552  
 To Mr. Secretary Nelson for his fees - - - - - 439  
 To Col. Francis Thornton for Handcuffs & committed in 1745 - - - 345  
 To George Seaton Gent for Timber to repair the Chapple bridge - - 65  
 To Richard Tute Gent afs Waller & Thornton Coronors, for 1 foo } 115  
 on Lawrence Battails Gent, Negro, Drowned - - - - - }  
 To The Same for the Constables fees for Summoning Jury - - - 42  
 To John Gordon for Taking Care of the Courthouse - - - - - 800  
 To Richard Tute Gent for Betting up three posts of Directions - - 300

Some services, like repairs to tobacco warehouses, were noted separately. The maintenance of tobacco warehouses, as well as scales and [rolling roads](#), were crucial at this time, since tobacco was a major form of currency.

Ordered that the Inspectors at Roystons Warehouses do pay to Richard Tute Gent The ballance for the buildings and repairs Done by him, at the said Warehouses as soon As the said Tute shall produce from under the hands of William Carr and Robert Jackson Gentl. that their Work is completely finished

Levies were paid to those who brought in wolves' heads, as Virginia made a concerted effort to eliminate wolves from the Colony, as they preyed on livestock.

Then the Court proceeded to Lay the County Levy as followeth Viz:  
 Spotsylvania County is D. Co. Tobacco  
 Wolves heads Prohom granted  
 To James Jones 1. old 172  
 To William Honalee 3. Young 258  
 To Benjamin McArthur 1. old 172  
 5 602

Taking care of the courthouse was an important duty.



Ordered that John Gordon do take Care of the Courthouse & Sweep it & find the Court in Small beer, Candles & firewood and to be paid five hundred pounds of tobacco for taking Care of the same at the laying the next County Levy, If he is to buy a good Spring Lock & key & have it well fixed on the Courthouse door to be paid for by the County besides his Salary for taking Care of the Courthouse

## Mills

Water mills were erected over small streams for the grinding of grain. Prior to building a mill, the owner of the property submitted a petition for a group of men to inspect the proposed site to ensure that impeding the flow of water wouldn't do harm to the properties in the vicinity. Also, an acre of land on the other side of the stream, if owned by someone else, was appraised to determine the value so the mill owner could purchase the land at a fair price.

On petition of Phillip Ballard and George Mousick to have liberty to finish a Small Water Mill they have begun and raised on the Devils Ditch a Small branch of East North East river It is Ordered that Parmenas Bowker Henry Brock Owen Thomas and Dudley Gatewood or any two of them between this and the next Court do View the place where the said Mill is erected to see if the flowing of the Water will Damage any persons Land and report their proceedings to the next Court

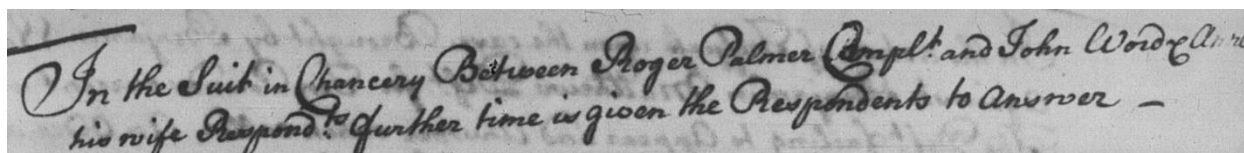
If the owner of the acre on the other side of the stream refused to sell, they could be forced to sell if the "said acre takes not away housing, orchards, or other immediate conveniences" (a colonial version of eminent domain).

only on one side of the said Run and that Susanna Crigler whose Land lyeth opposite has refused to sell him an Acre of Land for that Use and praying an order for an Acre of the said Susanna Criglers Land according to the Act of Gen: Assembly in that Case made and provided. It is ordered that Richard Birdine William Rush and Jacob Croyle or any two of them do meet and view the Land of the said Susanna Crigler so petitioned for and if the said Acre takes not away Housing, Orchards or other immediate conveniences that then they value the same and put the said Michael Clauro in possession thereof Provided the said Michael Clauro pays down the Money to the



## Chancery

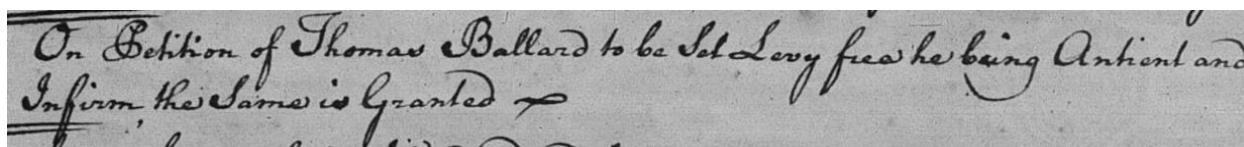
Cases in chancery court often address estate and business disputes, debt, the resolution of land disputes, and divorce. These are different than the county courts, but you may find references to chancery court suits in the county court minutes. This example mentions Roger Palmer (Complainant) and John Word and his wife Anne (Respondents). Most Virginia Chancery Court records that are online start in the 1800's (some earlier), but they are often very detailed and excellent sources of genealogical information (and fascinating to read, as the complaints and responses are handwritten by the individuals involved). See <https://www.virginiamemory.com/collections/chancery/>.



In the Suit in Chancery Between Roger Palmer Compl: and John Word and his wife Anne Respond: Further time is given the Respondents to Answer -

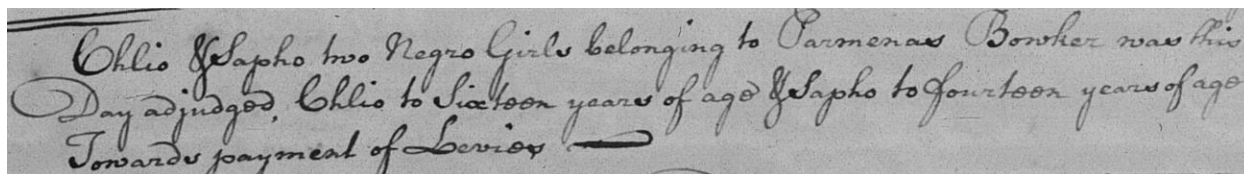
## Taxes

Residents of a county who were old or infirm could be ruled exempt from being taxed as tithables. This applied to white males as well as to slaves. This might sometime be the only indication of a person's age in colonial-era records.



On Petition of Thomas Ballard to be Set Levy free he being Aged and Infirm, the Same is Granted

Since slaves were taxable to the owner based on their age, young slaves were brought to the court and their ages were "adjudged". The same also applied to young indentured servants, whose period of indenture and tax status were also age-based. This is a good way to determine the ages of your ancestors who were slaves or servants, since birth certificates did not exist in those days and parish registers are often not extant (and didn't usually include slaves).



Oblis & Elapho two Negro Girls belonging to Parmenas Bowker was this Day adjudged, Oblis to Sixteen years of age & Elapho to fourteen years of age Towards payment of Levies

To Record  
 Angus M. Donald a servant belonging to Alexander and Daniel Campbell was this Day adjudged to fourteen years of age  
 Towards payment of Levy's

## Morality

The morality police frowned upon certain types of behavior and called people into court to be held to account for certain crimes involving sexuality, profanity, or disrespect for religion.

"The Grand Jury against Richard Jones and Elizabeth Duncom, presentment for living in adultery, the Sherif having return'd on the summons that they were not to be found, etc. Therefore, an alias subpoena is ordered to issue."

The Grand Jury against Richard Jones and Elizabeth Duncom Presentment for Living in Adultery the Sheriff having returned on the Summons, that they were not to be found, etc. therefore an Alias Subpoena is ordered to issue

Cohabiting for 12 months . . . thou and there committed adultery and fornication . . .

That John Ferrell and Elizabeth Harris at the parish of St. Marks in this County for the Space of twelve months last past have unlawfully cohabited together & the said John Ferrell thou and thoro committed Adultery and the said Elizabeth Harris thou and thoro committed fornication

For absenting himself from his parish church for two months, Walter Fitzgerald was fined 10 shillings. In the event he didn't pay the fine, he was to receive twenty lashes on his bare back.

Walter Fitzgerald being called to answer the presentment of our grand jury himself from his Parish Church for two months failed to appear and answer that he be fined for the said offence Ten Shillings Current money or One hundred (The said Directo) and in case of non payment of the said fine or giving sufficient thereof at the laying of the next parish levy then to be levied on his goods & if he Cannot be had for the same, then to receive on his bare back Twenty Lashes in a

For swearing one oath, be fined for five shillings or 50 of pounds of tobacco, or get ten lashes at the public whipping post on your bare back.

Adam Hubbard being called to answer the Prosement of our Grand Jury (for failing to appear and answer) for Swearing one Oath within two months last past therefore it is ordered that he be fined for the same five shillings or fifty pounds of tobacco as the Land directs and in Case of Non Payment or giving sufficient Security for the payment thereof at the Laying the next parish Levy then to be levied of his goods & Chattells and in Case no such Distress can be made then It is Ordered that he receive on his bare back at the public whipping Post Ten Lashes in Laine thereof

On the Prosement of our Grand Jury against Adam Hubbard for Prophanely Cursing the Minister and Congregation in the Church Yard Immediately after divine Service within two months last past, then Hubbard failed to appear when called It is ordered that he be fined five shillings current money or fifty pounds of tobacco

following Prosements, W<sup>o</sup> of the Grand Jury for the body of this County being first sworn do Make the following Prosements Viz: —  
We present John King for Swearing five Oaths —  
We present George Moore for Swearing two Oaths —  
We present John Hardy for Swearing one Oath —  
We present Joshua Stapp for Swearing two Oaths —  
We present Henry Brock for not going to Church —  
We present Robert King Jun<sup>r</sup> for not going to Church

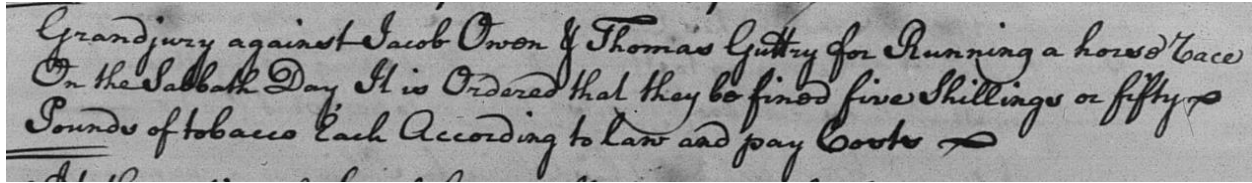
William Smith, John Sanders, William Login, and Edward Coffey for playing Cards on the Lords day by the Information of William Johnston Gent, William Johnston Gent for Gaming on the Lords day by Information of Robert King Jun<sup>r</sup>, John Abbotts Dondalls Servant Man for Blasphemously swearing, John Leather for Blasphemously Swearing three Oaths, Thomas Allen and his wife for not going to Church for the two last months past, Ralph Humphreys for well

Children were required to be baptized.

William Croftswain for not baptizing his Wife's child who is about the Age of six Years



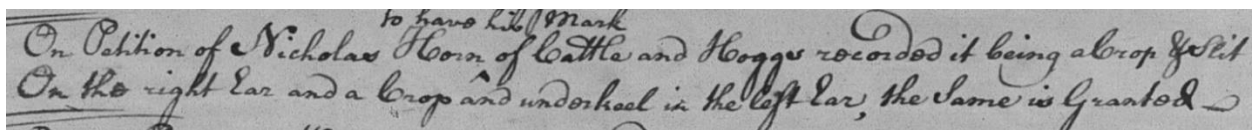
Don't race horses on the Sabbath Day!



Grandjury against Jacob Owen & Thomas Guttery for Running a horse race  
On the Sabbath Day It is Ordered that they be fined five Shillings or fifty  
Pounds of tobacco Each According to Law and pay Costs

## Ear Marks

Unique ear marks for animals like cattle and hogs were registered by their owners so that the animals could be identified later.



On Petition of Nicholas Horn of cattle and Hogs <sup>to have his mark</sup> recorded it being agreed  
On the right Ear and a crop and underheel in the left ear, the same is granted

## Conclusions

County court minutes are a valuable tool to have in your arsenal of tools for doing genealogical research of colonial Virginia, as well as other colonies and states of early America. There are things to be found in them that you'll not find in other primary documentary sources; they are also a good way to find references to other types of documents that were recorded in the county courts, including land and personal property deeds and probate records (wills, Executor/Administrator bonds, inventories, and settlements). The historical context that is gained by perusing court minutes makes family histories much more accurate and interesting. Reading court minutes takes a lot of time and patience, but key genealogical finds can make it well worth the effort.