

FOUND IN THE ARCHIVES, no. 78 – September 2022
Discovering the Enslaved People at Oak Hill
Fairfax Circuit Court Historic Records Center



Happy September, and welcome back to *Found in the Archives*! In this month's edition, we discuss some of our court records that help reveal the lives of enslaved people at Oak Hill, one of Fairfax County's oldest historic homes. Though the home is most widely associated with the prosperous Fitzhugh family, it is important to remember that generations of enslaved families also made the Oak Hill estate their home.

Given the sensitive nature of these records, we include the following disclaimer, taken from the Library of Virginia's *Virginia Untold* project: "Materials in the Historic Records Center contain historical terms and phrases that can be offensive to modern listeners, readers and researchers. These include demeaning and dehumanizing references to race, ethnicity, and nationality; enslaved or free status, physical and mental ability, religion, and sex."

Ravensworth and the Fitzhugh Family¹

The Ravensworth Tract encompassed 24,000 acres of land granted to William Fitzhugh in 1685. Originally hosting five 18th century manor estate homes, today, only Oak Hill remains standing. During the 18th and 19th centuries, hundreds of enslaved people worked on and made the Ravensworth tract their home. For example, in 1782, Fairfax County's personal property tax records show that over 200 enslaved people lived on the Ravensworth tract proper.²

Nearly one hundred years after the land grant, a descendent of William Fitzhugh, Richard Fitzhugh, inherited a portion of the Ravensworth land and built Oak Hill around 1790.

In 1857, the land of Richard Fitzhugh was further partitioned and his son, David Fitzhugh, inherited 345 acres, which included the Oak Hill estate.

¹ The staff at the Historic Records Center graciously thank author John Browne for his tremendous research on Ravensworth, the Fitzhugh family, and Oak Hill. For more information, please see <http://ravensworthstory.org/>.

² Fairfax County Personal Property Tax Records, 1782, Library of Virginia. Total includes the enslaved of Henry Fitzhugh and William Fitzhugh, Esquire. Digital scans available at the Historic Records Center upon request.

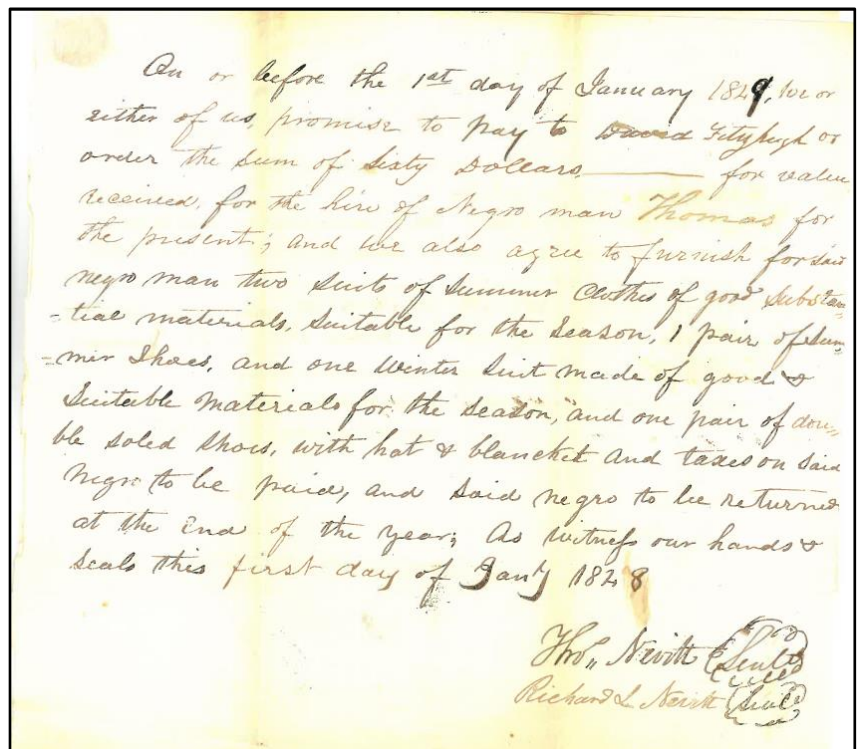
During David Fitzhugh's tenure at Oak Hill, over 40 enslaved people lived on the estate. While Fitzhugh's enslaved appear in several different types of court records, we will highlight debt cases involving David Fitzhugh, employers or "hirers," and the people he enslaved, seeking to shed light on a particular aspect of the life of the enslaved which may be less well-known.



Oak Hill, image courtesy of Fairfax County Park Authority

Our court records reveal that David Fitzhugh appeared in court nearly a dozen times between 1856 and 1859, seeking to recover money owed to him by employers who had contracted, or "hired out," several of Fitzhugh's enslaved.

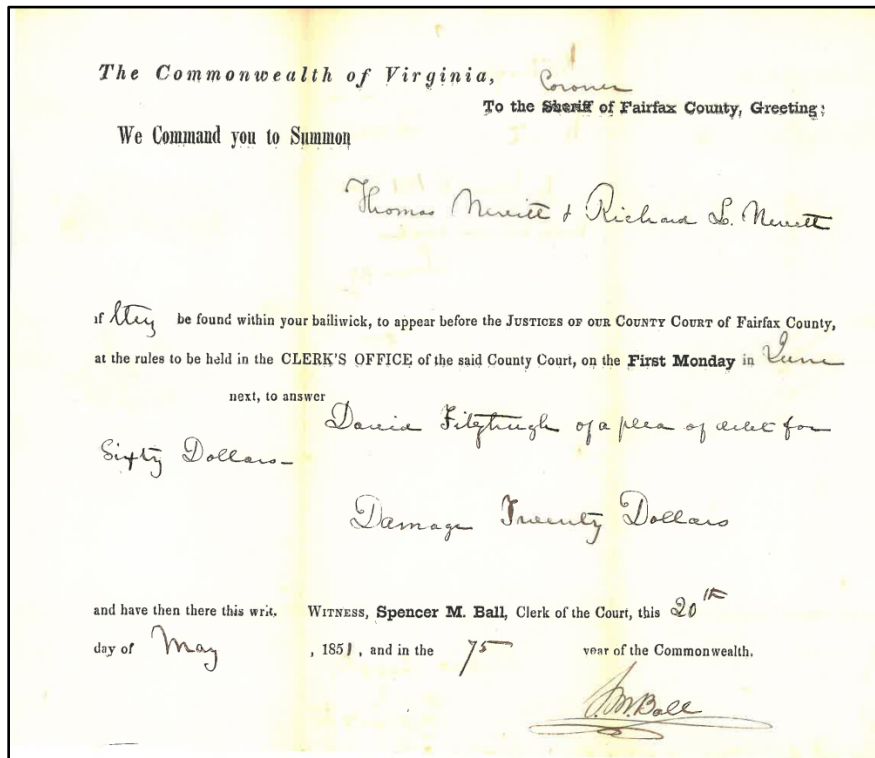
A common practice in antebellum Virginia, "hiring out" enslaved persons served as a source of income for enslavers or their assigns. If the enslaved person's labor was not immediately needed on the enslaver's own farm or plantation, an enslaver or other middleman could offer the enslaved for hire, usually for one calendar year beginning annually on January 1. Hiring contracts reveal not only the name of the enslaved, but also recite an identifiable monetary value to the enslaved person's otherwise unpaid labor.



Hiring Contract from Fairfax Term Papers #1851-213, David Fitzhugh vs. Thomas Nevitt and Richard L. Nevitt.

For example, in the 1851 case *Fitzhugh vs Nevitt*, pictured right, David Fitzhugh sued Thomas and Richard Nevitt for the debt owed for hiring "negro man" Thomas. The case record reveals that the Nevitts had promised to pay Fitzhugh \$60 for hiring Thomas for one year. The Court record also reveals some manner of conditions for enslaved laborers: the contract demanded that the

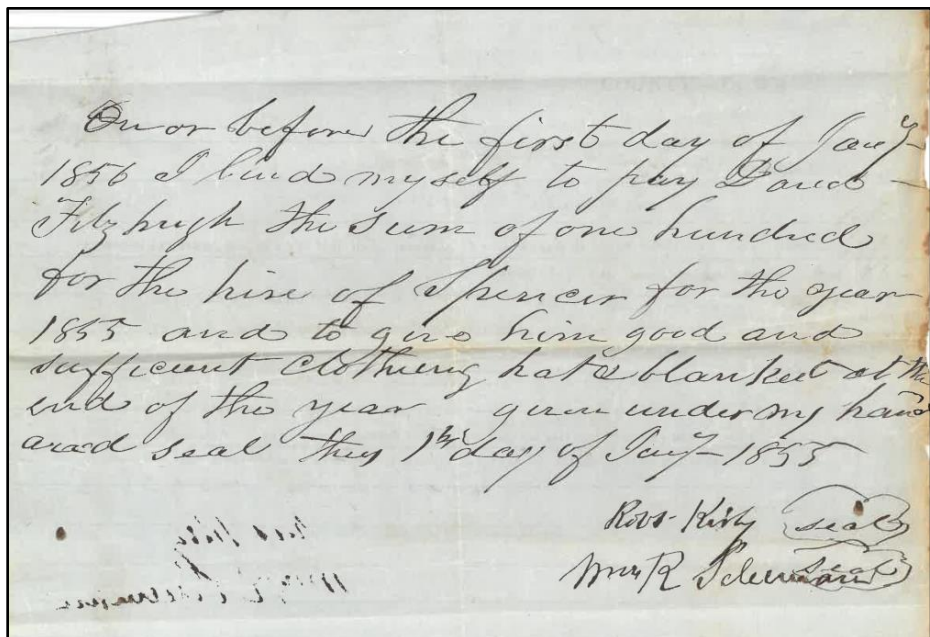
Nevitts provide Thomas “clothes of good substantial materials, suitable for the season, 1 pair of summer shoes, and one winter suit” along with other items like a blanket and a hat. The Nevitts were also responsible for paying that year’s personal property tax on Thomas.



Because Thomas and Richard Nevitt had not yet paid the \$60 they had promised, Fitzhugh was awarded the full sum on his “plea of debt,” plus \$20 in damages by the Court.

Summons on Debt from Fairfax Term Papers #1851-213, David Fitzhugh vs. Thomas Nevitt and Richard L. Nevitt.

In 1856, Fitzhugh sued Robert Kirby and William Selecman for the hire of an enslaved person named Spencer for 1855. Their hiring contract indicated that Kirby and Selecman promised to pay Fitzhugh \$100 and provide Spencer with “good and sufficient clothing, hat, and blanket.”



Hiring Contract from Fairfax Term Papers #1857-199, David Fitzhugh vs. Robert Kirby and William R. Selecman.

Similarly to his 1851 case, the Court awarded Fitzhugh the sum agreed to for Spencer's labor in the contract, \$100, and \$20 in damages.

Fairfax — COUNTY—To Wit :

David Fitzhugh Complain^t of
Robert Kirby & W. R. Sealeman

summoned to answer, &c., of a plea that they render to him the sum of *One Hundred Dollars* which they owe him and justly detain from him; for that the said Defendant^s on the *19* day of *January* in the year *1855* at the County aforesaid made and executed their writing obligatory, sealed with their seals and to the Court now here shown, the date whereof is on the day and year aforesaid, whereby they the said defendant^s promised to pay the said plaintiff *On or before the 1st day of January 1856* said sum of *One Hundred Dollars for the hire of Spencer for the year 1855* Yet the said defendant^s though often requested, have not yet paid the said sum of money or any part thereof to the said plaintiff but to pay the same have hitherto wholly refused and still refuse so to do to the damage of the plaintiff *\$ 20 - 00* and therefore he sue^s

Murray

Summons on Debt from Fairfax Term Papers #1857-199, David Fitzhugh vs. Robert Kirby and William R. Sealeman

On or before the first day of Jan^y 1858 I promise to pay David Fitzhugh the sum of fifty Dollars for the hire of servant Mary for the year 1857 and give her good & sufficient clothing given my hand & seal this 1st of Jan^y 1857

James S. Marders (Seal)
Sam^l C. Nevitt (Seal)

David Fitzhugh also went to court in 1858 over a debt owed by James Marders and Samuel Nevitt for the hire of "Servant" Mary." Marders and Nevitt had agreed to pay Fitzhugh fifty dollars. As with his earlier cases involving enslaved men Thomas and Spencer, the Court once again ruled that for Mary's labor, Fitzhugh was owed the \$50, as well as \$20 in damages.

Hiring Contract from Fairfax Term Papers #185-612, David Fitzhugh vs. James S. Marders and Samuel Nevitt.

While the Clerk’s Office is fortunate to keep, preserve, and share these hiring contracts that reveal enslaved people at Oak Hill by name, there is a significant amount of information researchers may never learn. Because enslaved people were viewed as property, the contracts do not provide much detail, such as the skills or trades of the enslaved. The hiring sum agreed to can provide clues. It is important to note that it was rare that an enslaver would allow the hired enslaved to keep any wages earned from their labor for themselves. The contracts also do not name the farms or estates to which the hired enslaved moved; we only know the names of employers or “hirers.”

Nevertheless, the hiring contracts featured as evidence in David Fitzhugh’s debt cases serve as a tangible reminder of the economic, social, and cultural climate in Fairfax County in the years leading up to the Civil War. These, and other records documenting the experiences of the enslaved and freed persons in Fairfax County, are publicly available for researchers’ use.

**Join Historic Records Center staff at the Oak Hill Open House on
Saturday, September 17, 2022, from 12 – 4 pm.**

We will share records from our collection related to Oak Hill, the Fitzhugh family, and the enslaved community, and highlight the Fairfax Court Slavery Index, housed at the HRC.

For more information on these and other records held at the Fairfax Circuit Court Historic Records Center, please call 703-246-4168 or email CCRHistoricRecords@fairfaxcounty.gov.

The Historic Records Center is open to both walk-ins and appointments. You can make a research appointment by calling 703-246-4168.

Tours of the 1799 Historic Fairfax Courthouse are given every Friday at 3 pm. Please meet Historic Records Center staff at the green doors of the 1799 Courthouse for the start of the tour.

Sign up for *Found in the Archives*, the monthly newsletter of the HRC:

<https://www.fairfaxcounty.gov/circuit/historic-records-center>



Please join us for the

Oak Hill OPEN HOUSE

Saturday, September 17, 2022
Noon-4 p.m.



Take a step back in time with a visit to historic Oak Hill Manor in Annandale. In a special, once-a-year event, this private residence will hold an in-person open house replacing the virtual programs held for the past two years due to the pandemic.

Explore the Georgian style house, constructed circa 1790 and the beautiful gardens.

Oak Hill is listed in the National Register of Historic Places.


For more information about Oak Hill and this year's open house, please visit www.fairfaxcounty.gov/parks/oak-hill.

Sponsored by the Fairfax County Park Authority and the Fairfax County Park Foundation.



A Fairfax Co.
publication • 7/22

Oak Hill
4716 Wakefield Chapel Rd.
Annandale, Va. 22003

 703-324-8563 • TTY Va. Relay 711