

## FOUND IN THE ARCHIVES, no. 21 – June 2016

### Fairfax Circuit Court Historic Records Center



Greetings! The Fairfax Circuit Court Historic Records Center is excited to continue bringing our monthly newsletter, *Found in the Archives*, to you.

This month, we will examine a small collection of records that we refer to as the “Noxious Animal Bounties” and “Sheep Claims.” The laws which generated these records were passed very early in the 19<sup>th</sup> century (showing up in the Code of Virginia as early as 1819), and essentially, they protected farmers against animals that could harm livestock, such as “wild cats” (panthers), wolves, foxes, or dogs. Blackbirds and crows also fell under this law as “noxious animals,” as they could be considered a nuisance to crops or livestock. The Historic Records Center mostly holds claims for foxes, hawks, and owls.

Most of the claims held by the Historic Records Center date from 1873, forward, and this is most likely due to the fact that most of our loose papers were destroyed during the Civil War, so we have little evidence of earlier bounty claims made to the court. In 1873, the Code of Virginia indicated that,

“The court of any county may allow or discontinue rewards for killing in such county, panthers, wolves, foxes, wild cats, crows or blackbirds, fix or alter the amount of such rewards, make regulations for establishing the right thereto, and for guarding against frauds upon the county, and alter or rescind such regulations.”<sup>1</sup>

In order to receive money from the court for their bounty, county residents had to bring proof of the animal’s demise to the court – usually in the form of the scalp of the deceased animal. The Justice of the Peace wrote a receipt indicating the type of animal killed, the date of death, and on the back, whether the court allowed payment to the claimant. A few examples of these receipts are below:

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<sup>1</sup> “For the restraint and destruction of dangerous, diseased and noxious animals,” *Code of Virginia*, Chapter CII, p. 838, 1873.

This is to certify that W. S. Kincheloe  
personally appeared before me and delivered  
one Fox scalp <sup>(which was destroyed by me)</sup> and sworn to its being killed  
in the County of Fairfax given under my  
hand this 2<sup>nd</sup> day February 1878 J. C. Kincheloe (J. P.)

"This is to certify that W. S. Kincheloe personally appeared before me and delivered one Fox scalp (which was destroyed by me) and swore to its being killed in the County of Fairfax. Given under my hand this 2<sup>nd</sup> day of February 1878, J. C. Kincheloe (J. P.)." W. S. Kincheloe was paid fifty cents.

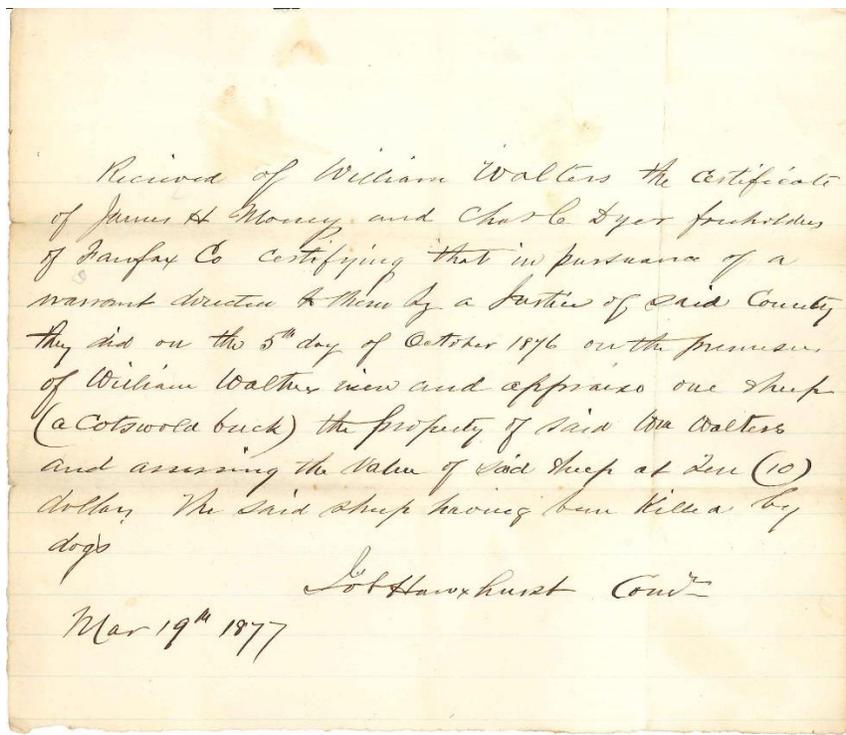
This to certify, that Elmer Fenwick  
delivrd to me on March 22 1882 one  
Hawk scarp & made oath that  
the same was killed in the  
County of Fairfax, Va in the  
month of March.  
C. F. Ford

"This to certify that Elmer Fenwick delivrd to me on March 22, 1882 one Hawk scamp & made oath that the same was killed [killed] in the County of Fairfax, Va in the month of March, C. F. Ford." Mr. Fenwick was paid twenty cents.

Separate laws were passed regarding the regulation of dogs in the county, especially regarding dogs that injured or killed sheep.

Diseased dogs, referred to as “mad dogs” in the *Code of Virginia*, appear to have been a major concern beginning in the early 19<sup>th</sup> century. County residents who owned dogs had to pay taxes on them,<sup>2</sup> and residents whose dogs escaped and injured livestock (mostly sheep) could be fined and/or have their dogs euthanized. The Historic Records Center holds many decades of sheep claims in its collection.

Residents who claimed to have had their livestock killed by wild or loose dogs first petitioned the court, which would then order appraisers to view the deceased sheep, ascertain its value, and submit the claim to the court, which would then reimburse the resident if it saw fit. Below is an example of a sheep claim held in our collection:



Received of William Walters the certificate  
of James H. Money and Charles Dyer freeholders  
of Fairfax Co certifying that in pursuance of a  
warrant directed to them by a Justice of said County  
they did on the 5<sup>th</sup> day of October 1876 on the premises  
of William Walters view and appraise one sheep  
(a Cotswold buck) the property of said Wm Walters  
and assessing the value of said sheep at ten (10)  
dollars. The said sheep having been killed by  
dogs  
Job Hawxhurst Constable  
Mar 19<sup>th</sup> 1877

*“Received of Williams Walters, the certificate of James H. Money and Chas C. Dyer freeholders of Fairfax Co, certifying that in pursuance of a warrant directed to them by a Justice of said County, they did on the 5<sup>th</sup> day of October 1876 on the premises of William Walters view and appraise one sheep (a Cotswold buck) the property of the said Wm Walters and assessing the value of said sheep at ten (10) dollars, the said sheep having been killed by dogs. Job Hawxhurst, Constable. Mar 19<sup>th</sup>, 1877.”*

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<sup>2</sup> The early taxation laws for dogs was the predecessor to today’s county dog licenses (required by the state), the fees from which help support animal control, shelters, etc.

These two record groups, the “Noxious Animal Bounties” and “Sheep Claims,” are some of the more unusual records held in Historic Records Center’s collection. These records provide proof of some of the court’s atypical responsibilities, but they also tell us a lot about daily concerns of the farmers who made up a majority of the county’s population in the 19<sup>th</sup> century, and how the court tried to protect them in times of financial loss.

For more information about these and other records held by the Fairfax Circuit Court Historic Records Center, please visit our website at:

[http://www.fairfaxcounty.gov/courts/circuit/historical\\_records.htm](http://www.fairfaxcounty.gov/courts/circuit/historical_records.htm) or call 703-246-4168

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## **Come See Historic Records Center Staff This Summer!**

**Friday, June 3, 6:00 pm – 8:00 pm - Loudoun County Courthouse Complex**

**Admission: Free!**

**18 E. Market Street, Leesburg VA**

Meet Historic Records Staff and view documents that relate to both Fairfax and Loudoun. Learn how Loudoun’s court papers have held up against time, historical events, and the environment. The Historic Records Staff will discuss and demonstrate how the records are being preserved in the 21<sup>st</sup> century.

**Saturday, July 23, 2:00 pm - Historic Blenheim Civil War Interpretive Center**

**Admission: Free!**

**3610 Old Lee Highway, Fairfax, VA**

**THE CIVIL WAR AND THE TWO FAIRFAX COURTHOUSES** - Historic Records Center staff will share the stories of the physical building in present day City of Fairfax abandoned during the war and the continuation of the Court held in the West End at Bruins House and Jail under the Restored Government of Virginia.

**Saturday, August 6, 11:00 am – City of Fairfax Regional Library Free**

**Admission: Free!**

**10360 North Street, Fairfax VA**

**FORGOTTEN FAIRFAX: UNCOVERING SLAVES IN COUNTY RECORDS** - Curious about the history of enslaved African Americans in Fairfax County? Fairfax Circuit Court Historic Records Center staff will present how we are creating a court slavery index from county records.