

## May Found in the Archives

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# FAIRFAX COUNTY

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## VIRGINIA

### Found in the Archives no. 97 Circuit Court Clerk's Office Historic Records Center

#### Sheriff's Records at the Historic Records Center

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Happy May, and welcome back to Found in the Archives, a publication of The Clerk of the Fairfax Circuit Court, 19th Judicial Circuit, who proudly serves The City of Fairfax & Fairfax County. In this month's edition, we will discuss some of the records here at the HRC that relate to the Sherriff's Office and how they show they ways the Office of the Sheriff has changed in Fairfax County.

Fairfax County's first Sheriff, Lewis Ellzey, was appointed in 1742 when the county was established. In Virginia, Sheriffs were originally appointed by the Governor, and they were selected from the Justices of each county court. Our first records of

a Sheriff being elected is an 1845 Order Book entry calling Orland W. Huntt the "Sheriff elect."

On motion of Orland W. Huntt, who was elected Sheriff of Fairfax County for two years from the 1st day of July 1845, and it appearing to the Court that on the 2<sup>nd</sup> day of June Term last of this Court (it being the 20th day of the month) the said Orland W. Huntt as Sheriff did as aforesaid, with H. W. Thomas, Alfred Moore, E. C. Powell, J. C. Gunnell, James A. Lee, H. M. Ford, R. M. Whaley, R. H. Cookridge, Roger C. Smith, W. W. Duffless, and James Coleman his associates, in open Court recited as read in the penalty of fifty dollars and dollars, conditioned as the said writs and took the oaths prescribed by law, but the Clerk failed to make an entry thereof; It is therefore ordered that the same be entered in the records of the Court as an act of that day & that said writ be sealed.

Fairfax Court Order Book 1852 page 336

Here at the Historic Records Center, we have some exciting Sherriff's appointment documents. Before the Revolutionary War, William Adams was appointed Sheriff of Fairfax County in 1768 by Norborne Baron de Botetourt, Governor of the Colony of Virginia from 1768-1770. Later, in 1778, Governor Patrick Henry appointed Hector Ross to assist Sheriff Henry Gunnell. In our earliest Sherriff's records like these, the appointed Sherriff was often called the High-Sherriff, and those appointed to assist him were called Under-Sheriffs.

His Excellency the Right Honourable  
**NORBORNE** Baron de **BOTETOURT**,  
 his Majesty's Lieutenant and Governour General of the Colony and  
 Dominion of VIRGINIA, and Vice Admiral of the fame.

To *William Adams Esq.*

**B**Y Virtue of the Power and Authority to me given, his Majesty's Lieutenant and Governour General of this Colony, I do hereby constitute and appoint you, the said *William Adams* to be Sheriff of the County of *Fairfax* during Pleasure, and that you be accordingly sworn as soon as conveniently may be; and before you are so sworn, or admitted into the said Office, you are to enter into Bond, before his Majesty's Justices of the said County, with two or more good and sufficient Sureties, in the Sum of One Thousand Pounds current Money, to render to the Auditor and Receiver General of his Majesty's Revenues a particular, perfect, and true Account, of his Majesty's Rents and Dues arising within your County, and also due Payment to make of all other Dues and Fees put into your Hands to collect within the said County unto the several Persons to whom the same shall be due or payable, and true Performance to make of all Matters and Things relating to your Office during your Continuance therein. And I do hereby command all his Majesty's Subjects inhabiting the said County, and others actually there, to be aiding and assisting you, the said *William Adams* as Sheriff of the County aforesaid, in all Things belonging to your Office of Sheriff.

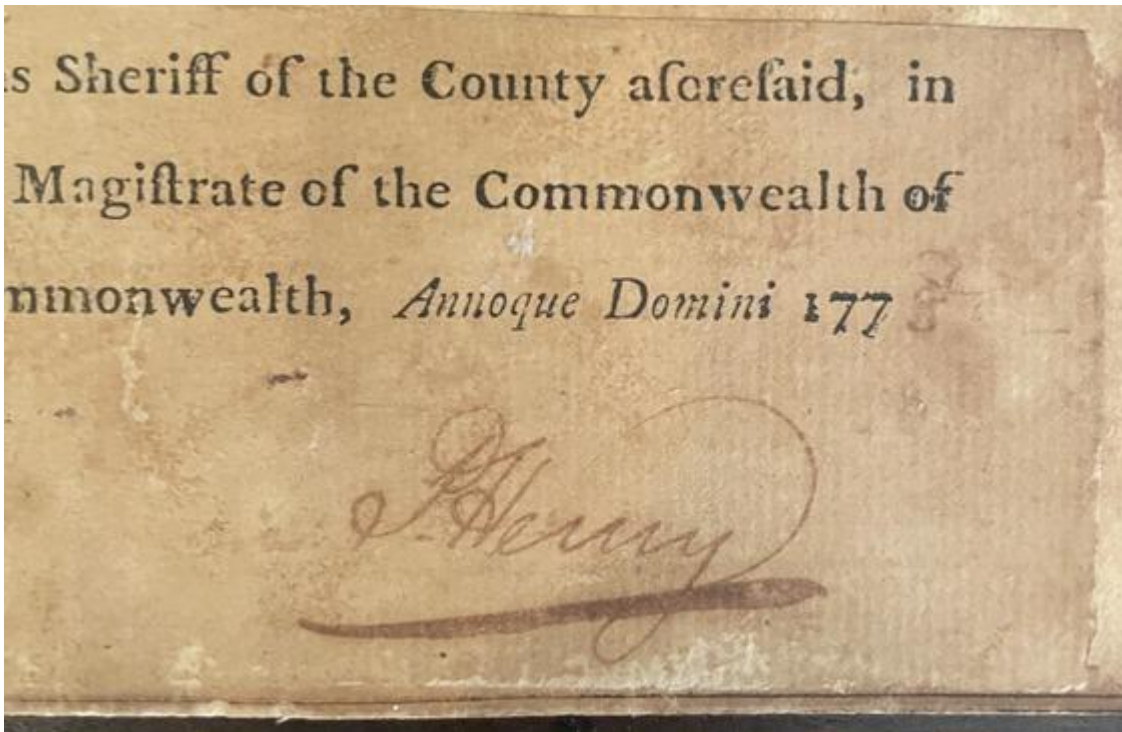
GIVEN under my Hand, and the Seal of the Colony, at *Williamsburg*, the *fifth* Day of *November* and in the *fourth* Year of his Majesty's Reign.

*Botetourt*

Fairfax County Drawer X X-I-0006

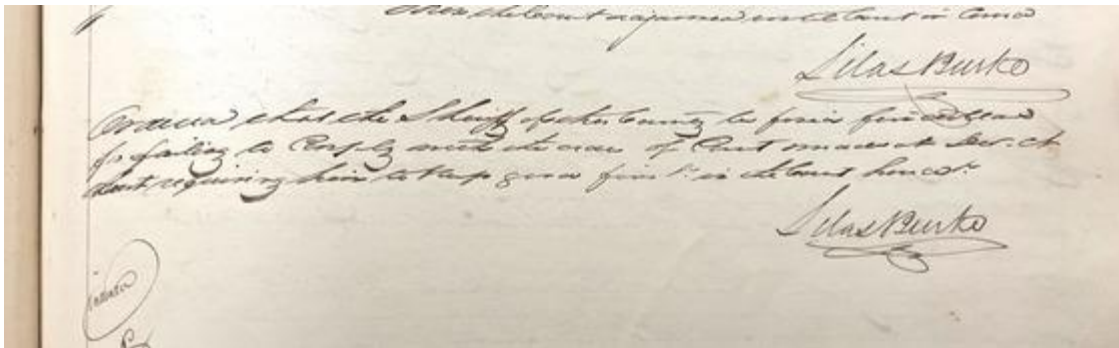


Fairfax County Drawer X X-I-0916



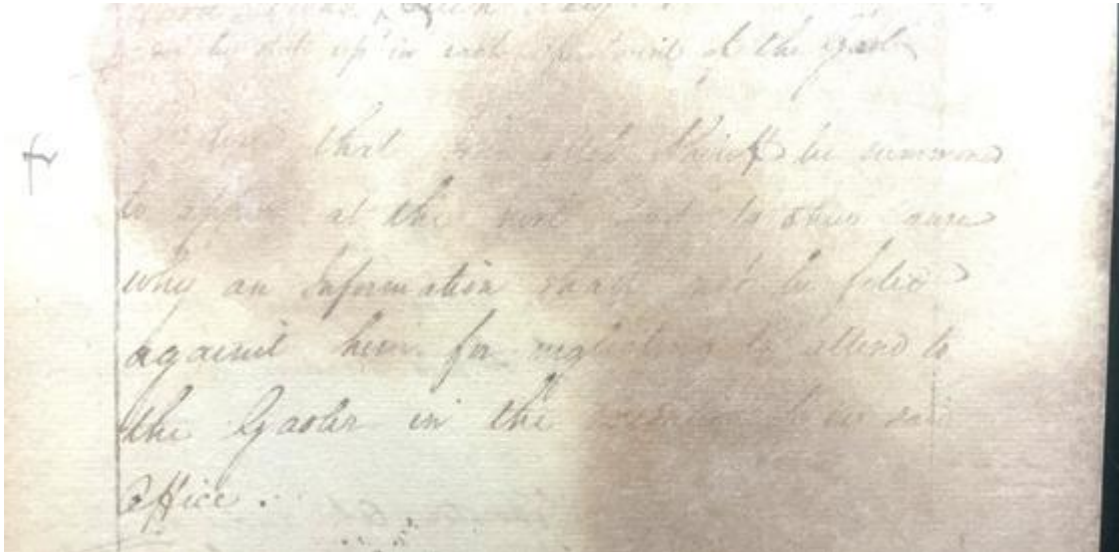
Fairfax County Drawer X X-I-0916

The duties of Sheriffs have drastically changed throughout the history of Fairfax County. Along with modern duties like arresting the accused and serving subpoenas, Sheriffs and those appointed to assist them were responsible for public whippings, empaneling juries, and the keeping of the courthouse. In 1842, Sheriff Joshua Hutchison received a fine for failing to "keep good fires in the Court House." Sheriffs were also responsible for other duties that are now maintained by other parts of the County Government, like collecting taxes and tallying elections.



Fairfax County Court Order Book 1842 page 41

**We also have records of Sheriffs being reprimanded by the court for failing to perform their duties. In 1797, Sheriff John Moss was called to court for not supervising the jailer, who was collecting illegal fees from prisoners and failing to provide adequate nutrition to them.**



"Ordered that John Moss Sheriff be summoned to appear at the next court to show cause why an Information shall not be filed against him for neglecting to attend to the Gaoler [jailer] in the ordering of his said office."

Fairfax County Court Order Book 1797 page J, December 1797 Term

**Today, Fairfax County has an elected Sheriff and hundreds of Deputy Sheriffs. While quite a few of their duties have changed, they still provide many of the same services to help keep our courthouse safe.**

For more information on the records held at the Fairfax Circuit Court Historic Records Center, please call 703-249-4168 or email [CCRHistoricRecords@fairfaxcounty.gov](mailto:CCRHistoricRecords@fairfaxcounty.gov)

The Historic Records Center is open for walk-ins and research appointments. To schedule an appointment, please call us at 703-246-4168.

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