

FOUND IN THE ARCHIVES, no. 25 – October 2016
Fairfax Circuit Court Historic Records Center

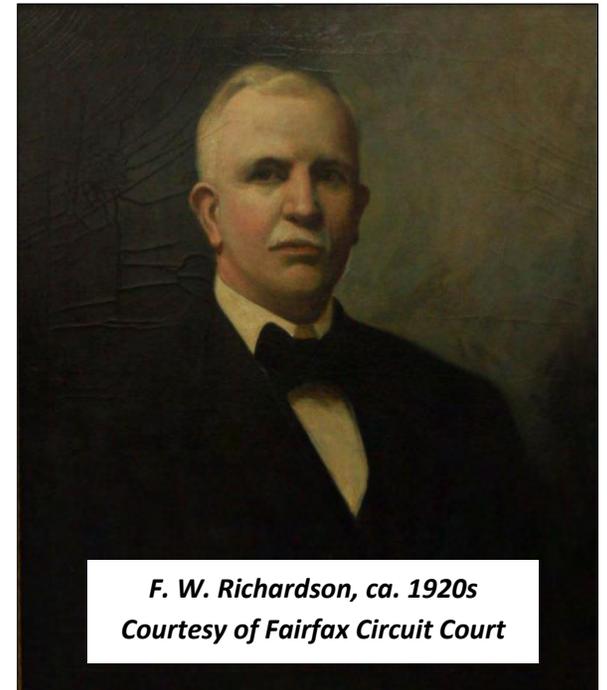


Greetings! The Fairfax Circuit Court Historic Records Center is excited to continue bringing our monthly newsletter, *Found in the Archives*, to you.

This month, we will highlight a recent find made by one of our volunteers, Victoria, who joined us over the summer. She has started processing the papers of Frederick W. “F. W.” Richardson. He served as Clerk of Court from 1880 until his retirement in 1935, and prior to him, his father, Ferdinand D. Richardson, served as clerk from about 1830 until his death in 1880 – so between the two of them, that was over 100 years of service to Fairfax County!

In this collection, Victoria has discovered several interesting documents that shed light on the daily responsibilities of the Clerk of Court during the late 19th and early 20th centuries. Letters, accounting notes, bills, and clerk’s forms can tell us much about how the clerk functioned from day to day. Letters are particularly insightful, as they often involve communication between the clerk and the lawyers, asking for filings, to delay proceedings, and so on. Most of the time, these documents were not part of the official court record, but they help to inform us of the routine administrative support the Clerk of Court provided to the judge, a role the Clerk still performs today.

One of the most interesting documents uncovered so far is the “Report of Clerks of Courts” from spring 1924. This form shows a six-month accounting of the fees collected for the filing of court documents, such as probate, deeds, and court cases.



F. W. Richardson, ca. 1920s
Courtesy of Fairfax Circuit Court

Below is part of the form. The blue highlighted box shows the fees collected for Prohibition cases and non-Prohibition cases from September 1923 until February 1924. Over HALF of the court case fees were from cases related to prohibition! This was very suprising.

A. P. A. 293-4-9-23-1M.

REPORT OF CLERKS OF COURTS

A STATEMENT of all taxes and other money belonging to the Commonwealth of Virginia, collected, or which should have been collected, by F. W. Richardson
 192 the County Court of Fairfax County (or City) during six months ending Feb. 29th, 1924.

| MONTHS (Fill in) | LAW PROCESS, ETC. | | | | | | | | | | | Total Law, Process, Etc. | PROHIBITION CASES | | | OTHER THAN PROHIBITION CASES | | | 6- Delin Capit T | | | | | | | | | | | | |
|-------------------------------------|---|----------------|-----------|-------------|-------------------|-------------|---------------------|--------------|-------------------------------|--------------|----------------------------------|-----------------------------|--|---------------|------------------------------|--|----------------|------------------------------|---------------------------|--|--|--|--|--|--|--|--|--|--|--|--|
| | 1 Deeds, Contracts, and Other Writings, Etc. | | 2 Wills | | 3 Administrations | | 3 Chancery Suits | | 4 Actions at Law & Motions | | 4 Removal and Appeal Warrants | | 5-A Fines and Forfeited Recognizances | 5-A Costs | 5-A Forfeited Property | 5-B Fines and Forfeited Recognizances | 5-B Costs | 5-B Forfeited Property | | | | | | | | | | | | | |
| | No. | Tax | No. | Tax | No. | Tax | No. | Tax | No. | Tax | No. | | Tax | | | | | | | | | | | | | | | | | | |
| September 1923 | 160 | 369 60 | 4 | 990 | 11 | 1700 | 2 | 300 | 11 | 1790 | | | 417 40 | 485 00 | 4435 | - | 452 30 | 87 45 | - | | | | | | | | | | | | |
| October " | 162 | 412 20 | 5 | 750 | 2 | 1000 | 13 | 19 50 | 4 | 33 30 | | | 482 50 | 230 00 | 1985 | - | 183 00 | 20 20 | - | | | | | | | | | | | | |
| November " | 189 | 419 10 | 2 | 390 | 3 | 300 | 15 | 22 50 | 9 | 10 40 | | | 458 90 | 335 00 | - | - | 437 78 | 5 00 | - | | | | | | | | | | | | |
| December " | 182 | 291 60 | 3 | 1380 | 2 | 430 | 10 | 15 00 | 3 | 3 90 | | | 328 60 | 85 00 | - | - | 57 50 | - | - | | | | | | | | | | | | |
| January 1924 | 157 | 336 30 | 5 | 1030 | 3 | 380 | 8 | 12 00 | 3 | 4 30 | | | 366 70 | 260 00 | - | - | 9 500 | - | - | | | | | | | | | | | | |
| February " | 133 | 248 30 | 4 | 1800 | 0 | - | 9 | 13 50 | 9 | 9 80 | | | 289 60 | 65 00 | - | - | 35 00 | - | - | | | | | | | | | | | | |
| TOTAL | 983 | 2077 10 | 23 | 6340 | 21 | 3810 | 57 | 85 50 | 39 | 79 60 | | | 2343 70 | 460 00 | 6420 | - | 1206 78 | 112 65 | - | | | | | | | | | | | | |
| Deduct five per centum commission - | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Due the Commonwealth - - - - | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | 117 18 | 73 00 | 321 | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | 2226 52 | 1387 00 | 6099 | | | | | | | | | | | | | | | | | |

I, F. W. Richardson Clerk of the County Court of Fairfax County, State of Virginia, do certify
 long to the Commonwealth of Virginia, collected, or which should have been collected, by me during the six months ending Feb. 29th, 1924.
 Given under my hand this 8th day of March, 1924.

I, John H. Rust Commissioner designated by the Court of the County (or City) of Fairfax, State of Virginia do
 of taxes and other money belonging to the Commonwealth, collected, or which should have been collected, by F. W. Richardson Clerk of the County Court of Fairfax
 said statement is correct.
 Given under my hand this 8th day of March, 1924.

Our curiosity peaked, we looked at our Prohibition-related cases from this time period and found some interesting records.

We, the undersigned, hereby certify that the following whiskey or wine or ardent spirits were poured upon the ground near the jail building in the Court House Lot, at Fairfax, Virginia, in our presence, this 5th day of May, 1924, the same having been designated to us by the Sheriff and Deputy Sheriff H. M. Cross, of said County, as follows:

53 bottles of corn whiskey, colored red, 1 pt. each,
3 gallons corn whiskey in milk can, taken from --,
designated as belonging to E. H. Maxwell.
36 gallons corn whiskey, from Frank Javins.
7 gallons corn whiskey, from Robert Hicks.
2 1/2 gallons from Fred Mudd (corn whiskey).
4 1/2 gallons in 5 gallon jar, from _____.
1 gallon cornwhiskey from ~~LeHew~~ Davis.
1 1/2 gallons corn whiskey from Joseph Fadle.
1 gallon corn whiskey from Wm. Harbower.
43 gallons corn whiskey, from Rogers.
1 pt. from B. R. Blevins (corn whiskey)
1 pt. from James Blevins (corn whiskey).
1 qt. from Ira Lynch (corn whiskey).
1 qt. from Wm. Carter (corn whiskey)
1 gal. from home of Mrs. Willie in Vienna, Va. (corn whiskey).
1 qt. from John LeHew (corn whiskey).
5 gal. or more from Alfred Tippet (corn whiskey)
3 gal. from George Crepps (corn whiskey).
5 gals. from Tharpe, (rye whiskey).
10 gals. grape wine from Charlie Robertson.
1 qt. corn whiskey from Mary Penn.
1 pt. corn whiskey from home of O. F. Hall.

Other liquor was destroyed, a record of which was not kept, as the Deputy Sheriff stated it was not necessary to do so, and he could not identify some of it, as it was not labeled and had been confiscated a long time ago.

GIVEN under our hands this 5th day of May, 1924.

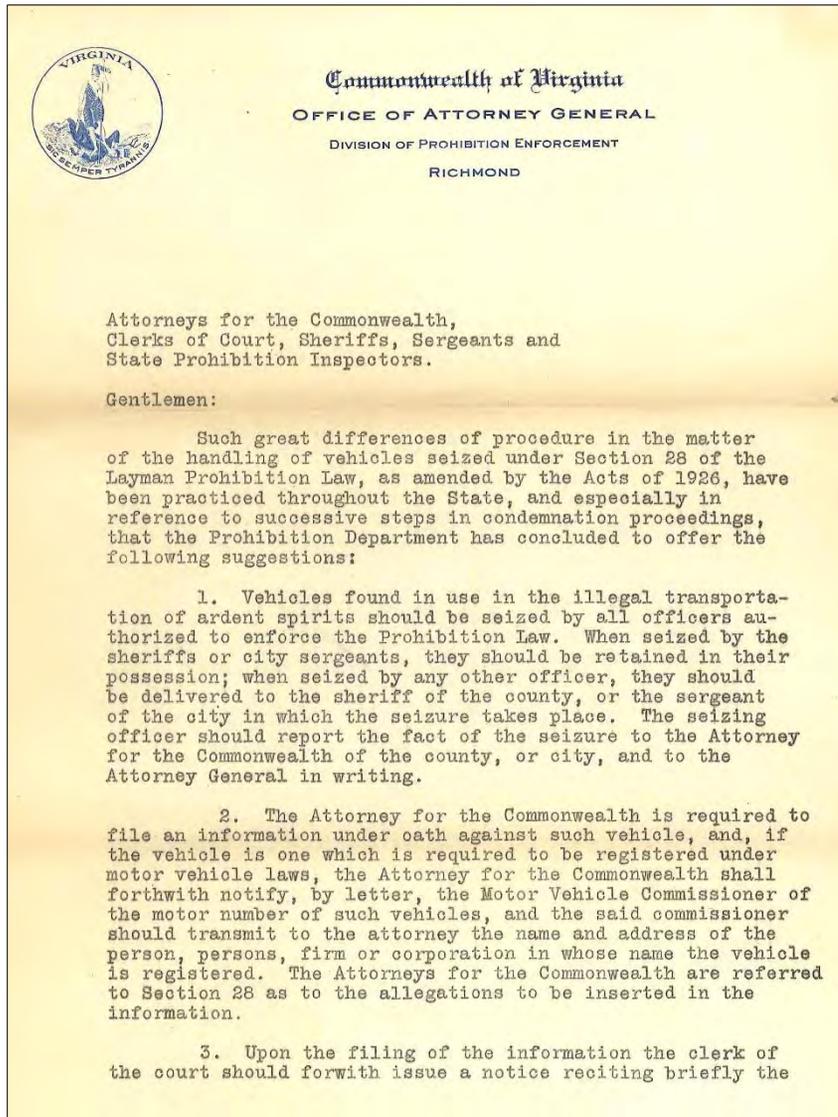
John T. DeBell
John McJ. Whaler
D. R. J. R. Allison Sheriff
May 5 1924

This document from 1924 is a list of “whiskey, wine, or ardent spirits” that were destroyed at the jail behind the 1799 courthouse, and from whom the alcohol had been seized. The amounts of alcohol seized ranged from 1 quart of corn whiskey from individual residents, to 10 gallons of grape wine taken from Charlie Robertson, to 43 gallons of corn whiskey from someone only identified as “Rogers.”

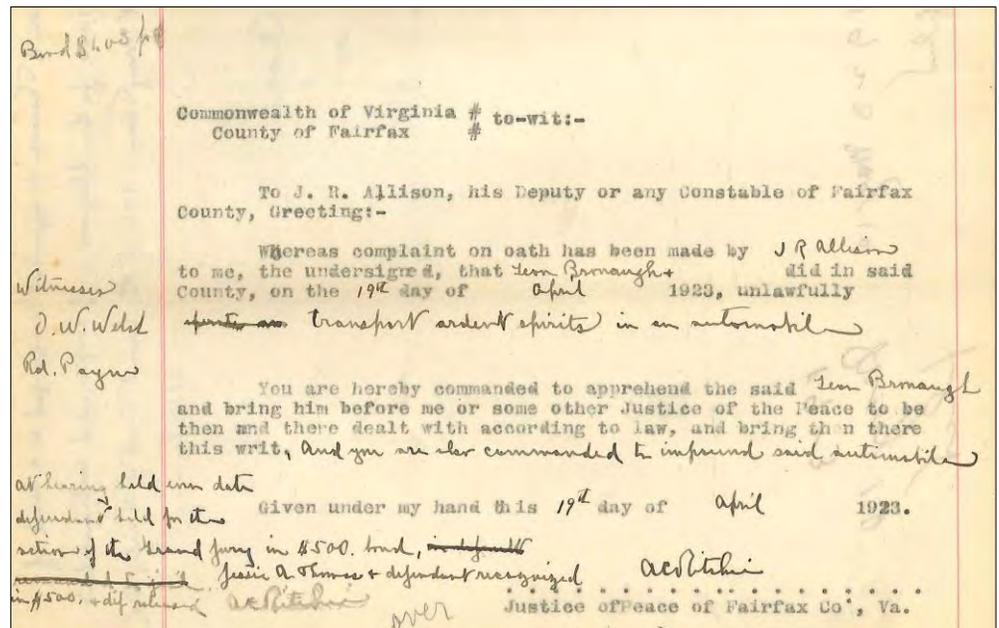


The present-day Sheriff's Administration building was the Fairfax County jail from 1882 until 1954.

In the Richardson Papers collection, our volunteer also discovered a letter from the 1920s from the Office of the Attorney General, Prohibition Enforcement Division, sent to all of the county clerks, attorneys, and sheriffs. Apparently, there had been some confusion about how to properly impound, record, and release vehicles suspected of transporting alcohol, and the Office of the Attorney General sent this communication to clarify procedures. Below (left) is page one of this letter.



The writ below indicates that a county constable had ordered Fairfax County resident, Leon Bronaugh, apprehended for “transporting ardent spirits in an automobile,” and that the constable was “commanded to impound said automobile.” The handwritten notes at the lower left of the document indicate that Bronaugh had been arrested, assessed bond, and released on his own recognizance with instructions to appear at a later date.



Of course, the manufacture of ardent spirits was illegal, and many individuals were brought to court for this offense. Below are the court papers from 1923 for county resident John Henry Doyle, who, along with a man named Enoch Glenn, had been arrested for owning distilling equipment found in a dwelling or outbuilding.

Commonwealth of Virginia---City, County of, Fairfax to-wit:

To the Prohibition Inspectors, Sheriffs, Sergeants, and all Police Officers and Constables of the State of Virginia—Greeting:

WHEREAS Virgil Williams of the said City County has this day made complaint and information on oath before me, A. C. Ritchie, J.P. of the said City County that he verily believes, that in the said City County and State:

(a) That Ardent Spirits are being unlawfully manufactured, sold, kept, stored, possessed, held, used and concealed in a certain Dwly on outbldgs occuied by one John Henry Doyle

(b) A still, still cap, worm, tubs, fermenters and other appliances connected with such still and used, and mash and other substances, capable of being used, in the manufacture of Ardent Spirits, are unlawfully in the possession of, and unlawfully used by one _____ in a certain _____

(c) Ardent Spirits are being unlawfully kept, held, stored, concealed, used, sold, and unlawfully transported in certain baggage or a certain vehicle, to-wit: a certain _____ by one _____

And there being reasonable cause for such belief:

THESE ARE, THEREFORE, IN THE NAME OF THE COMMONWEALTH OF VIRGINIA, to command you, with all necessary and proper speed and assistance, to search the house, place, baggage, boat or vehicle herein designated, either in day or night, and seize such ardent spirits and their containers and other things apparently possessed or used in violation of law, and bring the same and the person or persons, in whose possession they are found, and also any person resisting, impeding, obstructing, or in any manner hindering or delaying you in the execution of this warrant before me, or some other officer having jurisdiction of the case, to be disposed of and dealt with according to law; and make return of this warrant showing all acts and things done thereunder, with a particular statement and sufficient description of the things seized and the name of the person in whose possession found, if any, and if not found in the possession of any one, so state in your return, and post a true copy of this warrant and the return thereof, as required by law.

Given under my hand and seal this 12th day of May 1923

Virgil Williams (SEAL)
Title of Magistrate.

John Henry Doyle
Title of Magistrate.

At a hearing held on date specified held for the return of the Grand Jury in a bond of \$500, & committed to jail in default A.C. Ritchie J.P.

auto or baggage, or as case may be)

as front door of house, door of room or premises)

Description of Ardent Spirits and other things seized 1- 6 gallon copper still complitt with coil and cooling tub - 1/2 gal mash - 2 cases fruit jars - and arrested John Henry Doyle and Enoch Glenn.

The image above shows what exactly had been found in the possession of Doyle and Glenn:

“1 – 6 gallon copper still, complitt [sic] with coil and cooling tub – ½ gal mash, 2 cases fruit jars. And arrested John Henry Doyle and Enoch Glenn.”

The indictment was found to be a true bill, and bond assessed at \$500. Doyle, unable to pay, was committed to the jail.

The Fairfax Circuit Court Historic Records Center continues to work diligently to process and make available the court records of Fairfax County, and we are fortunate to have the help of George Mason University students and local volunteers. As we work to organize the court records, we hope to continue making interesting discoveries that shed light on Fairfax County's unique history!

For more information about the documents in this edition of *Found in the Archives* or about other court records, please email the Fairfax Circuit Court Historic Records Center at historicalrecords@fairfaxcounty.gov or call 703-246-4168.

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Fairfax County's 275th Anniversary Save the Date!



- Signature Celebration June 17, 2017 10am - 4pm on the grounds of the historic Fairfax Courthouse
- Family-friendly activities and entertainment
- History exhibits, living history, performances, and more

Visit www.Fairfax275.com for more information on this event and other anniversary events being held throughout the year!



SATURDAY
OCTOBER 8, 2016
Fairfax Circuit Court
Historic Records Center
RESEARCH OPEN HOUSE

10:00 am to 3:00 pm

As part of the City of Fairfax Fall Festival, the Clerk of Court, John T. Frey, cordially invites you to attend a Research Open House at the Fairfax Circuit Court *Historic Records Center*.

The records room will be open for visitors to explore topics such as genealogy, property, and local history. Archivists **Katrina Kremasky** and **Heather Bollinger** will be available to assist you in your research.

Our colleagues at the Loudoun Circuit Court Archives will also have records of interest on display!

See historic Fairfax
County court
documents!

*Archives
Showroom &
Historic
Courthouse Open
10 am to 3 pm*

ON DISPLAY:

- Original pages from George and Martha Washington's Wills
- 1751 Test Oath

Formal Tours of
the Records Room
at

11 am & 1 pm

**FAIRFAX HISTORIC
COURTHOUSE**

4000 Chain Bridge Road
Fairfax, VA 22030

Historic courthouse and
showroom open
10 am to 3 pm!