

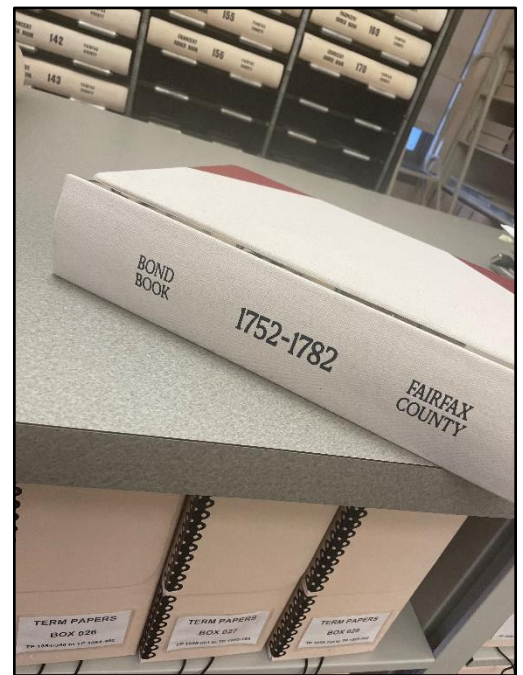
FOUND IN THE ARCHIVES, no. 76 – July 2022
Revolutionary Period Records
Fairfax Circuit Court Historic Records Center



Happy Fourth of July, and welcome back to *Found in the Archives*! The Historic Records Center is pleased to announce that we are now once again taking walk-in researchers. Those who wish to make an appointment are still welcome to do so, but appointments are no longer required. We are also excited to announce we are **holding tours of the Historic Courthouse every Friday at 3 pm**, and those who are interested can meet at the green courthouse doors where we will begin the tour. In this month's edition of *Found in the Archives*, we discuss some surviving court records from the time period of the American Revolution.

While the Historic Records Center is fortunate enough to have some surviving documents from the mid- to late- 18th century, the scope of our collection from this time period is far smaller than what it should be. Most of our Revolutionary War-era court records have been destroyed, lost, or taken. We do, however, have some records from this critical era in American history that are of research value. Some of these records even document the legal and procedural changes the colonial court underwent, as it pivoted from the Revolution into early American government.

The first of these documents is a bond book, spanning the years 1752-1782. The Historic Records Center is the repository for this original document, and it has been professionally conserved to prevent further damage. Notably, this bond book dates to when Fairfax was still an English colony. As such, these official court documents included mentions of King George II, then III, in them. The paradigm shift, or sovereign shift, is revealed by comparing a 1756 Bond with a 1776 Bond.



Fairfax Bond Book 1752-1782

Note that the second image, from 1776, shows a crossing out of the template phrase "in the XXXth [thirtieth] Year of the Reign of our Sovereign Lord George the Second."

KNOW all Men by these Presents, That We Grafton Kirk (35^{as})
and Joseph Cash
are held and firmly bound to John West John West Junr
James Hamilton & Thomas Colvill
Gent. Justices of the Court of Fairfax County, now
sitting, in the Sum of One hundred Pounds
To the
Payment whereof, well and truly to be made to the said Justices, and their
Successors, we bind ourselves, and each of us, our and each of our Heirs,
Executors, and Administrators, jointly and severally, firmly by these Pre-
sents. Sealed with our Seals, this 20th Day of
October in the Year of our Lord One Thousand Seven Hundred and
Fifty six and in the 26th Year of the
Reign of our Sovereign Lord GEORGE the Second.

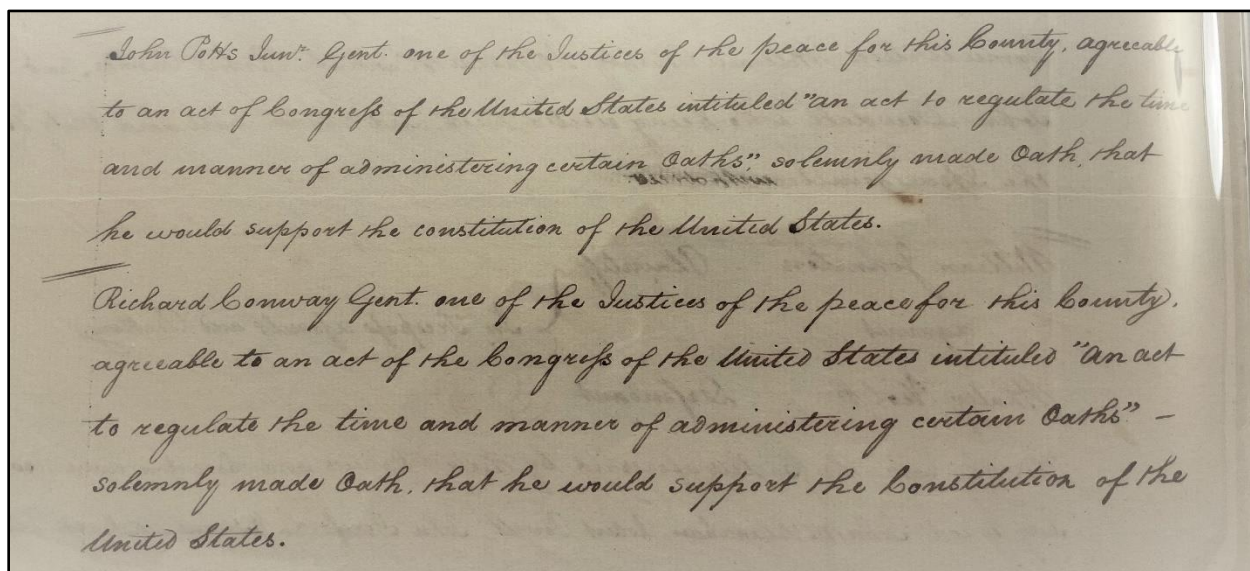
Fairfax Bond Book 1752-1782, page 35 [1756]

(54)
KNOW all Men by these Presents, That We Mary Ward
Edward Davin
are held and firmly bound to John West Daniel McCarty
William Ramsay & Edward Payne
Gent. Justices of the Court of Fairfax County, now
sitting, in the Sum of Two hundred pounds
To the
Payment whereof, well and truly to be made to the said Justices, and their
Successors, we bind ourselves, and each of us, our and each of our Heirs,
Executors, and Administrators, jointly and severally, firmly by these Pre-
sents. Sealed with our Seals, this 16th Day of
Sept^r in the Year of our Lord One Thousand Seven Hundred and
~~Fifty seven~~ and in the ~~XXXth~~ Year of the
~~Reign of our Sovereign Lord GEORGE the Second.~~

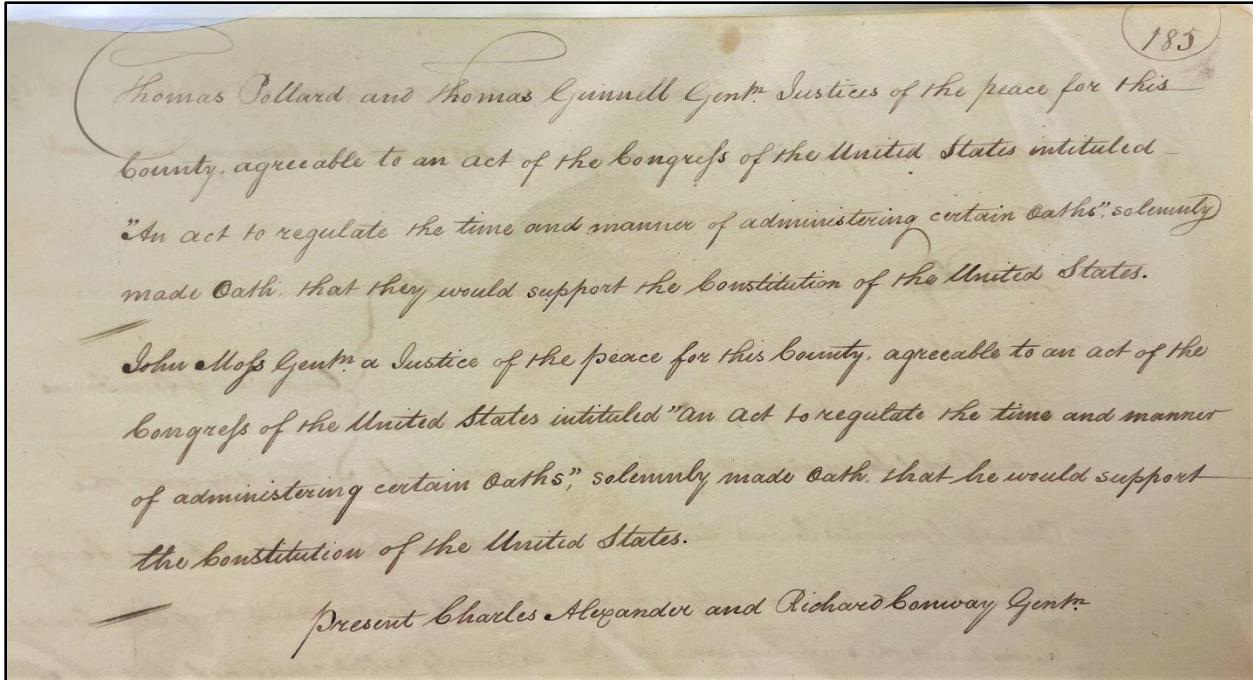
Fairfax Bond Book 1752-1782, page 154 [1776]

The Historic Records Center also has original Court Order Books from as early as 1749, which recorded the court proceedings for each day. Our Court Order Book from 1788, however, contains particularly interesting entries relating to the Early American republic and the Constitution.

These entries note that “Justices of the Peace” in Fairfax had to take oaths to “support the Constitution of the United States.” It is important to note that this was a fraught time period, when the Federalist and Anti-Federalist debates raged over the formation and implementation of a new American nation. These were the very first years of our new government under the Constitution, so declaring fidelity to the new nation was an evidentiary matter. Article VI of the Constitution required both federal- and state-appointed officers to swear a new oath to the Constitution, and these Court Order Book entries document these oaths. Some of the Fairfax “Gentlemen Justices” who “solemnly made oath that he would support the Constitution of the United States” included John Potts, Richard Conway, Thomas Pollard, and Thomas Gunnell.



Fairfax Court Order Book 1788-1792, page 182



Fairfax Court Order Book 1788-1792, page 185

These documents are some the oldest and most interesting records stored at the Historic Courthouse, since they showcase just how, administratively and procedurally, a former colony became part of a new nation. Despite not having the full scope of court records from the American Revolution, the Clerk's Office of the Fairfax Circuit Court takes as its mission preserving and sharing Fairfax's historic records of the American Revolution, with you and the Fairfax community. Fairfax played a unique and prominent role in the formation and founding of the United States, and these court records can help reveal just how that shift actually occurred at the local level.

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.

At this time, 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 3pm. Please meet Historic Records Center staff at the green doors of the 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>