

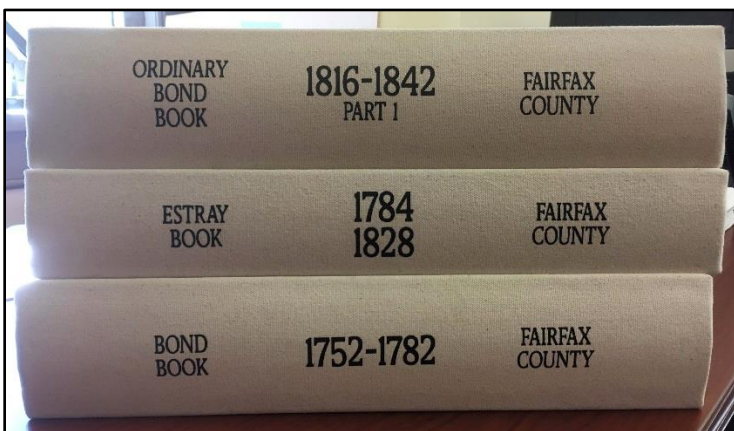
FOUND IN THE ARCHIVES, no. 47 – November 2018

Newly Conserved Court Records

Fairfax Circuit Court Historic Records Center



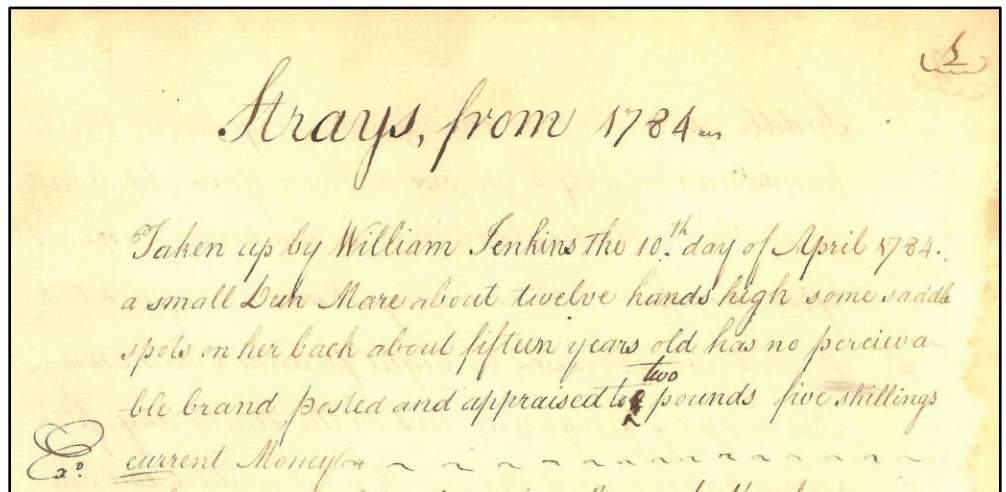
In this month's *Found in the Archives*, we will review three ledgers – the Estray Book, Bond Book #1, and the Ordinary Bond Book – which were sent out for conservation earlier this year and were recently returned to the Historic Records Center. As archivists for the Fairfax Circuit Court, we have created a Court Records Conservation Plan, which identifies records in need of conservation treatment, so that they can be stabilized for use by future generations.



These unique 18th and early 19th century court records shed light on claiming “lost” or “abandoned” property; the administration of personal estates; and the operation of taverns and ordinaries in Fairfax County.

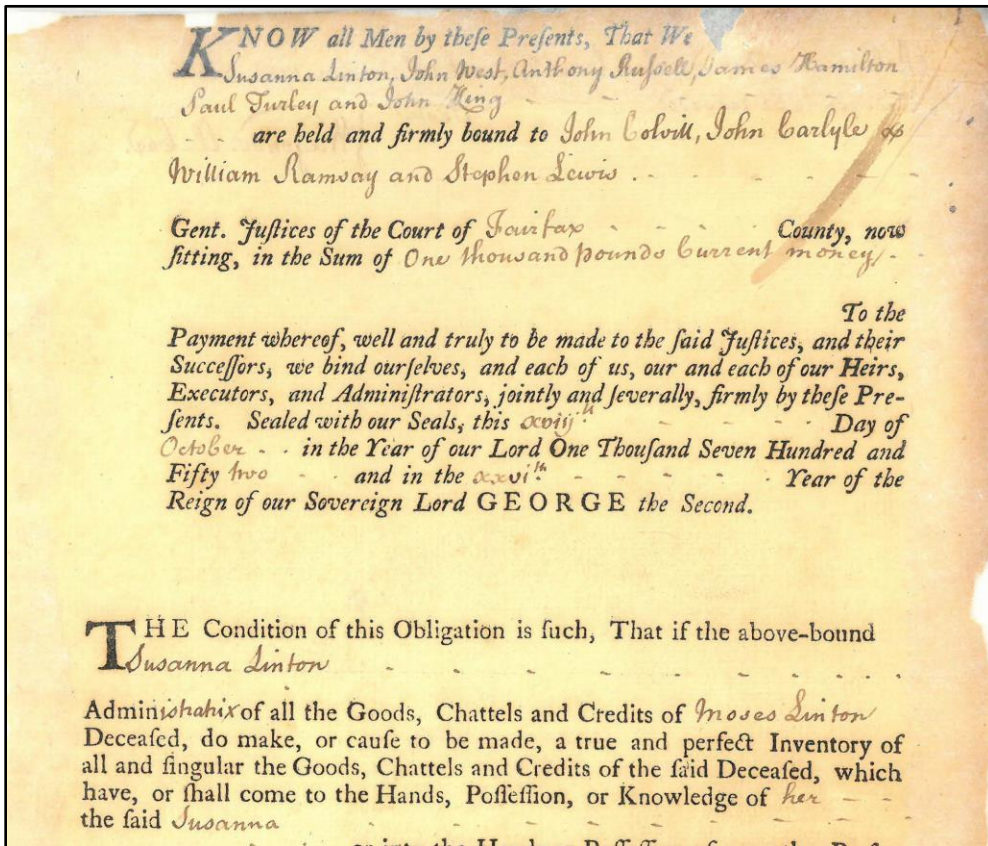
Ordinary Bond Book, Estray Book, and Bond Book #1, after conservation

The Estray Book covers the years 1784 to 1828, and was used to record accounts of stray domesticated animals (estrays) that wandered onto other people's property. Following certain legal steps, which included public advertising of the estray, the property owner



Horse found by William Jenkins, Estray Book, p. 1, April 10, 1784

could assume ownership of the animal, if the original owner did not come forward in a timely manner. Each animal was appraised by a three-person committee of landowners, and the resulting valuations are very useful references to livestock values in the late 18th and 19th centuries. Each entry also enhances our knowledge of specific Fairfax County landowners.



[Susanna Linton's Administratrix Bond, Bond Book p. 1, October 18, 1752](#)

Our Bond Book #1 (1752 – 1782) covers most of Fairfax County's Colonial period, and the Revolutionary War. Many of our Revolutionary-era records are missing, so this book is an extremely important record. The bonds in the book are for the administrator of a deceased person who died intestate, or without a Will. The bonds found in this book bound the administrator to the court to faithfully administer the deceased's estate. The

bonded Administrator would oversee an inventory of the deceased's personal property, paying his/her debts, securing credit owed, and distributing the estate shares to any heirs. The more assets owned by the deceased, the higher the bond amount. In the first bond recorded in the book (shown above) the bond amount is £1,000-- a hefty amount in 1752. This illustrates the serious responsibility the administrator took on through the court appointment.

Our final book, the Ordinary Bond Book (1816 – 1842) contains bonds for operators of ordinaries. An ordinary was a business, usually in someone's home, serving food and drink, and sometimes lodging and stabling. The bond's terms were to be kept to for the duration of the operator's license, which was valid for one year.

Know all men by these presents,
 THAT WE *Garland B Donaldson & Matthew P Reardon*
 are held and firmly bound unto his Excellency *Wilson B Nicholas*
 Governor of the Commonwealth of Virginia, in the full and just sum of one hundred and fifty dollars, to
 which payment well and truly to be made to the said Governor, or his successors, we bind our-
 selves and each of us: our and each of our heirs, executors and administrators jointly and severally by
 these presents. Witness our hands and seals this *19* day of *August 1816*
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The condition of the above obligation is such
 that whereas the above bound *Garland B Donaldson*
 hath obtained a license to keep an ordinary at his house in the county of Fairfax. If therefore the said
Garland B Donaldson doth constantly find and
 provide in his ordinary, good, wholesome and cleanly lodging and diet for travellers, and stableage, fodder
 and provender, or pasturage and provender, as the season may require, for their horses—for and during
 the term of one year, from the day of the date of these presents and from thence till the next court, held for
 the said county of Fairfax, and shall not suffer or permit any unlawful gaming in *his* house,
 nor on the sabbath day suffer any person to tipple or drink more than is necessary. Then this obligation
 to be void, otherwise to remain in full force.

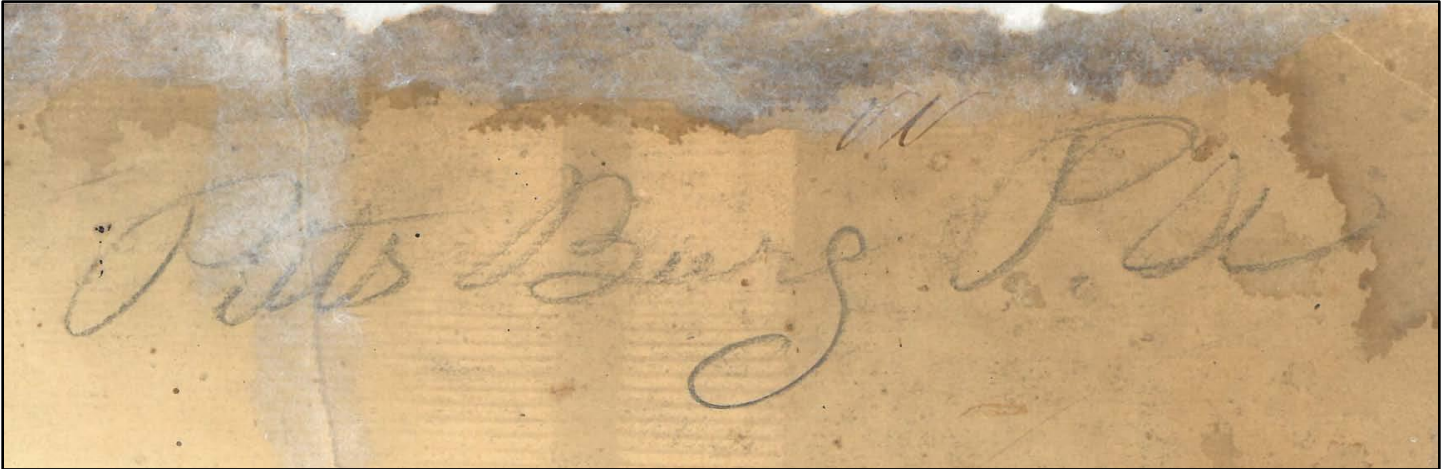
Signed and Acknowledged } *G B Donaldson* (Seal.)
 in Presence of } *M P Reardon* (Seal.)
The Court
Garland B Donaldson
Van \$12 " 50 - paid

This bond shows the strict regulations that an ordinary licensee had to abide by. The food and drink had to be “good, wholesome and cleanly” – in other words, it had to be of a decent quality, and safe to consume. As these were very religious and, arguably, somewhat puritanical times, the licensee could not allow immoderate drinking on Sundays. And, as discussed in a previous *Found in the Archives*, gambling was illegal and prosecutable.

[Garland B. Donaldson's Ordinary Bond, Ordinary Bond Book p. 3, August 19, 1816](#)

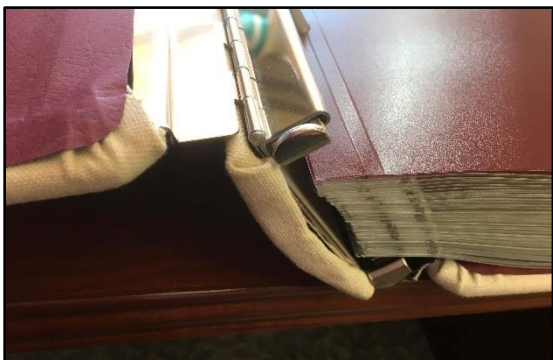
As the Clerk’s Office worked with conservationists, each page (or “leaf”) of the books was cleaned with tools for working with delicate 18th century paper. Highly acidic paper is commonplace in historic records. Paper made from wood pulp contains lignin, an organic substance that helps stiffen cell walls in plants. Over time, the lignin breaks down, causing acid levels to increase. Acid can also migrate from more acidic paper to less acidic paper when they are bound together. Each leaf of the books was deacidified to slow down degradation. High acid levels in paper cause yellowing, embrittling and general instability.

Interestingly, most of the paper in the Estray, Bond and Ordinary Books, was hand-made from cotton and linen rags. To make the paper white, bleaching agents were added, which are also acidic. Sizing agents were also added to make the paper more soil and liquid-resistant, more durable and less rigid. The most regularly-used sizing agent was alum (potassium aluminum sulfate); again, an acidic substance. Deacidification of paper is achieved by neutralizing the acids with a liquid solution of magnesium oxide. The liquid is lightly sprayed on to the paper, and left to dry. This process also creates an alkaline buffer to protect the paper for generations to come.



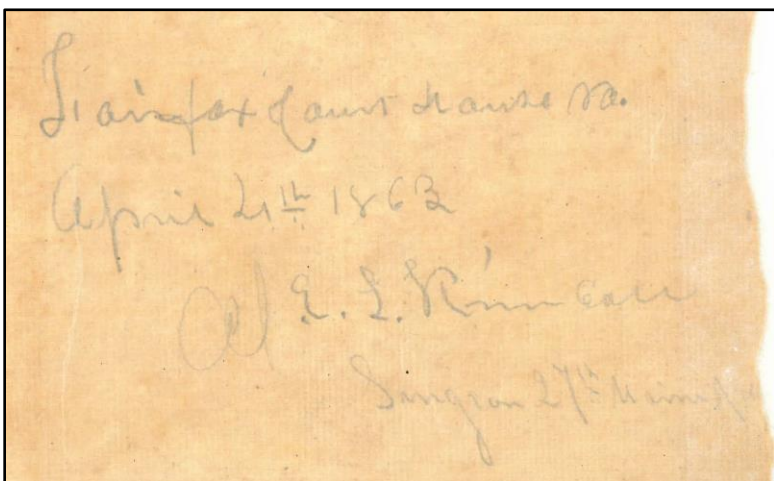
Tears and thinning areas repaired with Japanese tissue, Estray Book Flyleaf

Many of our older records have areas of paper loss and thinning; this may come from insect and environmental damage or simple overhandling. Some of the pages also have tears. The conservators repair these areas with Japanese tissue, which is non-acidic and archivally-sound. One side of the tissue is coated with adhesive and bonded to the original document using heat. As can be seen in the example above, the repairs are barely visible and do not intrude on the information contained within the document. The adhesive can be removed with minimal damage to the paper, if future repairs are needed. The rule of thumb in conservation and preservation is that **every process should be reversible**, as conservation methods evolve over time, and with new technology. With this in mind, the conservators also removed damaging tape that had been used in much earlier conservation efforts.

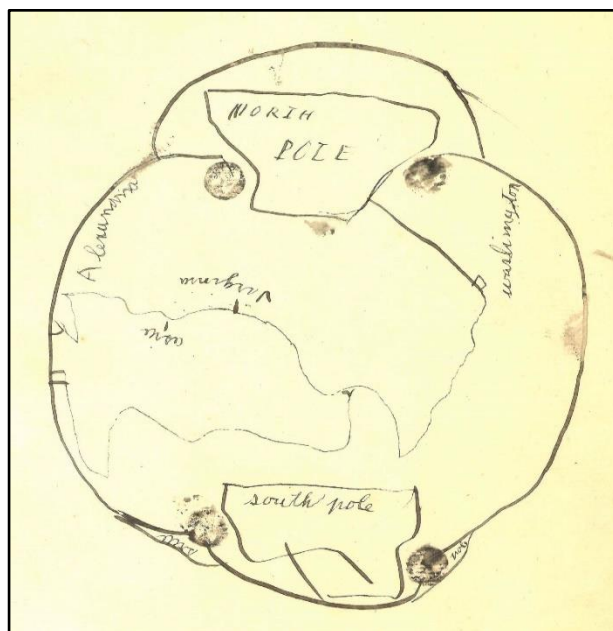


Each leaf was digitally scanned in greyscale, which enables us to share scans with our patrons without the need to handle the book. The conserved leaves of these books were individually placed in Mylar (polyester film) sleeves, which allows the pages to be turned without contact with the paper. Polyester film is fairly chemically inert, which means that it won't react chemically with

the paper. It also acts as an environmental barrier, preserving the paper for longer. Finally, the books were bound with a "slide release post binding," so that we can remove each page for color-copying, if necessary.



Bond Book Flyleaf, showing Civil War Graffiti, April 4, 1863 (above)



Estray Book Spare Page showing possible Civil War Graffiti (right)

The conservators also applied the previously described methods to the fly-leaves and other spare pages contained in the original books. The example above (above, left) shows graffiti written in the Bond Book during the Union Occupation of the Historic Courthouse during the Civil War. We have many more examples of Civil War-era graffiti in our records, such as the world map drawn on a spare page in the Estray Book (above, right).



The conservators returned the original covers of the books, as these can contain information about binding methods used at the time of the book's manufacture; they also often display clerks' notes. The image at left shows the calligraphy practice of Thomas Moss, who was Clerk of Court between 1835 and 1839.

Ordinary Bond Book backboard

The Estray Book, Bond Book #1 and Ordinary Bond Book have recently been indexed by name, and these indexes will shortly appear on our webpage under the "Finding Aids/ Indexes" section. These indexes, combined with the books' conservation, make these unique records safe and accessible to current and future researchers for many years to come.

The Fairfax Circuit Court Clerk's Office was recently awarded an \$8,500 grant from the Library of Virginia, for conservation of the following court records: Deed Book C-1 (covering years 1750-1753); Court Order Book 1772 to 1774; and Plat Book #2. Look for updates on the conservation of these items soon!

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.

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

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