



**The
Firsts of the Second
Rappahannock County
1833 - 35**

THE FIRSTS
of the
SECOND
RAPPAHANNOCK COUNTY

Compiled By William E. Pullen

THE RAPPAHANNOCK HISTORICAL SOCIETY, INC.

By-Laws

ARTICLE I - NAME

This association shall be called The Rappahannock Historical Society, Incorporated.

ARTICLES II - OFFICERS

Section 1: The officers of the Society shall consist of a President (who shall be Chairman of the Board of Directors), a Vice-President, a Secretary, a Treasurer and a Coordinator, all of whom shall be elected at the annual meeting of the members of the Society.

Section 2: The President shall preside at all meetings of the Society, and the Board of Directors; shall call them together and shall perform such other duties as may be required. Meetings shall be called by the President or by the Secretary upon written request of three or more members of the Board of Directors.

Section 3: The Vice-President shall perform all the duties of the President in his absence. In the absence of both, the members of the Society or the Board of Directors may elect a president pro tem.

Section 4: The Secretary shall record the minutes of the Society and conduct such correspondence as may be required.

Section 5: The Treasurer shall collect and pay out all monies of the Society, no monies to be paid out except as authorized or ordered by the Board of Directors or the membership.

Section 6: The Coordinator shall coordinate the activities of the Society and the several committees.

Section 7: The officers of the Society shall be elected annually at the annual meeting and shall hold their respective offices for the term of one year or until their successors are elected.

ARTICLE III - DIRECTORS

Section 1: The Board of Directors shall consist of the five (5) officers of the Society. Any three (3) members of the Board shall constitute a quorum. The Directors shall allow or reject all claims against the Society and perform such other duties as may be required by the membership. The Directors shall serve without compensation.

ARTICLE IV - MEETINGS

Section 1: The annual meeting of the Society shall be held on -----
-----, or any adjourned meeting thereafter.

Section 2: Ten (10) percent of the paid-up membership shall constitute a quorum for the transaction of business at any meeting of the Society.

Section 3: All motions and resolutions, when required, shall be submitted in writing.

Section 4: Written or printed notice of every regular or special meeting must be prepared and mailed to the members of record at their last known place of residence.

ARTICLE V - DUES

Section 1: Annual dues shall be:

(\$5.00) five dollars for man and wife,

(\$1.00) one dollar for minor children of paid-up parents, and

(\$3.00) three dollars for other individuals.

ARTICLE VI - AMENDMENTS

Section 1: These By-Laws may be amended at any meeting of the Society by a majority of the voters represented at said meeting.

**THE FIRSTS OF THE SECOND
RAPPAHANNOCK COUNTY 1833-35**

Originally, Rappahannock was a part of another county of the same name—"Old Rappahannock", formed in 1651. This first Rappahannock was dissolved as a county in 1651 and it's territory divided between two then created counties, Essex and Richmond, with the area of present Rappahannock becoming a section of Essex. In 1720 it was joined to Spotsylvania when that county was carved from Essex. In 1734 it went into Orange and in 1745 into Culpeper, where it remained until it became a separate county in 1833. The records of these antecedent counties are replete with Rappahannock family names.

As the first U.S. Census taken after the formation of Rappahannock was in 1840, there is no such tally of it's inhabitants in 1833. However, a numeration of the heads of households can be had from the Property (Tax) Books of 1833 and 1834. Neither of those are complete, so for an accurate count both have to be consulted. These tax books were first compiled in Virginia in 1782 though a number between that year and 1787 are missing. It is interesting to note that the Culpeper book of 1783 contains the names of a majority of the families living in Rappahannock County in 1833.

The 1833 assessment list of Rappahannock was compiled by David Brown and that of 1834 by William Menefee, Commissioner of Revenue. The roster of Rappahannock was typical of the other Piedmont counties as to the national origins of the people. There were 1880 negroes, 1858 slaves and 22 "free men of color", "Freetown", on Fodderstack Road near Flint Hill was a settlement of these free men.

Of the whites, the English predominated. They were mostly from eastern Virginia. There were a number of Scotch-Irish from the counties west of the Blue Ridge, Germans from the Valley and from the Germana Ford settlement, a few Welsh and French-the latter coming from the Huguenot colony of Manakin, on the James River near Richmond. The Amiss family, for whom Amissville was named, was such a French family that settled in Manakin in 1700.

The Personal Property Books show considerable about the financial standings of the citizens in 1833, though probably even in those days there were some who preferred fiscal modesty to increased assessments and were better fixed than the books attest. There were some with considerable holdings but for the most part they were of modest means, as shown by the large number who paid the minimum tax of six cents on none.

Personal taxes were levied on family vehicles, horses and slaves. The rate was low, as was the county's take. The total personal tax paid in 1833 was \$616.80 and in 1834, \$752.80. The largest levy of 1833 was that of Aylett Hawes-\$13.08.

Mr. Hawes was the owner of the largest number of slaves of anyone in the county, all of whom he freed in his will, an interesting and humane document. He showed concern for the old and infirm, setting up trust funds for their maintenance. For the others he provided means for their transportation to Liberia, except those whose complexions were so light

as was calculated to make them trouble in Liberia. Those were left money to take them to Ohio.

When the county was formed there were veterans of the Revolutionary War living in the county.

Upon the creation of the county, Governor Floyd appointed a Commission of the Peace, it's governing body. The commission consisted of twenty four members—Elijah Amiss, John D. Browning, John R. Browning, Willis Browning, Dawson I. Burgess, George Deatherage, Robert Eastham, James Green, William A. Lane, Daniel Mason, Henry R. Menefee, James Menefee, Gabriel Parks, George Shackelford, Reuben Slaughter, William Slaughter, Thomas Spindel, French Strother, Alexander H. Spillman, Howard F. Thornton, Addison Turner, John Turner, Thomas Walden and William Walden.

The Commission held it's first meeting at the home of Ann Coxie in Washington, April 1, 1833. It named William A. Lane, David Mason and Henry R. Menefee as a committee to consider the building of a Court House, Clerk's Office and Jail. On April 16, the Commission decided that Washington was the most suitable location for the county's public buildings and ordered William A. Lane, Daniel Mason, Henry R. Menefee, William Slaughter and Gabriel Parks to contract for and supervise the erection of these buildings. Contracts for the Court House and Clerk's Office was awarded to Malcum (sic) H. Crawford for \$4500.00 and that for the jail to John W. Fant for \$2600.00, specifying separate quarters for debtor prisoners.

The Court Officers of 1833 were: Judge Superior Court, Richard H. Field; Sheriff, William A. Lane; Commissioner of Revenue, William Menefee; Clerk, William J. Menefee; Prosecutor, Horatio G. Moffett; and Coroner, Gabriel Tutt.

The members of the first Grand Jury were: Bird Eastham, Foreman, Evans Bragg, Alfred Dearing, Anson Dearing, James Fletcher, Thomas Fletcher, William Fletcher, John Groves, Ezekiel Haines, John Jenkins, William E. Jones, John Kaylor, Richard Kinsley, Jones Menefee, Warner Miller, James Moore and William Thornhill.

The lawyers of the county, recorded in the Order Book as "Gentlemen", were: Minor Gibson, John S. Haines, Horation Gates Moffett, Barlow Shackelford and John S. Turner.

While the Grand Jury acted on a large number of cases in the first two years, the offenses were generally of minor nature, such as those that arise from the weakness of the flesh, bootlegging, selling "ardent spirits" to slaves without permission of the owners, disturbing the peace and failure of Overseers to keep the roads in repair. It seems that the authorities showed tolerance in these cases but not when a citizen was indicted for stealing "bank notes" from the Clerk's Office. The accused was held without bail, convicted and sentenced to two years in the State Penitentiary at Richmond.

Flint Hill provided one of the more lively cases, when on Sept. 22, 1834 the "owner of a house of entertainment and public resort" was indicted for selling "ardent spirits without a license", suffering, quarrelling, fighting, drunkenness (sic) and unlawful gaming" by it's guests and "other

notorious persons". The gaming offense consisted of running a Faro game, which apparently aroused the suspicions of the players as to it's operation. A fight broke out, followed by a raid in which the proprietor, his "houseman" and eighteen participants, representative and substantial citizens, were picked up and indicted.

Lack of transportation and communications forced Rappahannock to be more self sustaining in 1833 than it is today. The Virginia Gazetteer of 1835 records the following on the towns in the county.

Washington, largest town with population of 350 and 53 dwellings; 5 stores, 2 large flour mills, 2 taverns, a "free church" and an academy where, it was asserted, English, French and Italian were taught. In the town there were 4 blacksmiths, 4 carpenters, 2 saddlers, 2 wagon makers, 4 shoemakers, a cabinet maker, a "plaister" bricklayer, 3 tailors, 3 milliners, a silversmith, 4 resident lawyers and 2 physicians. The merchants were Henry and John Miller and Jones Co., A.R. and Davis, James and John Jett, Browning and Thorn and Daniel Mason.

Woodville had a population of 200 and 30 dwellings, 2 taverns, a school, tan yard, saddler, 3 blacksmiths, a shoemaker, a cabinet maker, carpenter, tailor, an attorney and 2 physicians. The merchants were Daniel W. Botts, William Walden and Aylett H. Walden.

Flint Hill with a population of 140, had 26 dwellings, 2 taverns, 2 tan yards, a flour mill, "free church", an attorney and a physician, plus "various mechanics". The merchants were Nicklin Jones and Co., Jett and Reid and A. Turner.

Sandy Hook, population 33, 4 dwellings, a store (Robert M. Sears), a blacksmith, wheelwright and shoemaker.

Newleys Cross Road, 30 residents, "several dwellings, 2 stores (unlisted in property book) and several tan yards and flour mills within a radius of six miles.

Gaines Cross Roads, 9 dwellings, a store (John Deatherage), tailor, blacksmith and was the only settlement in the county recorded in The Gazetteer as having a denominational church—Baptist. This was possibly Battle Run Church.

For some reason the Gazetteer does not mention the other towns but from the tax rolls it is known that the following other merchants were licensed in 1834.

Amissville, A.R. Singleton and James R. Nelson; Chester Gap, James G. Wallers; Hackley Cross Roads, Birket Hackley; Slate Mills, Nicol and Miller and Sperryville, Tutt and Mason.

The quiet and prosperous period from 1833 to 1861 was shattered by the Civil War. While there were minor incidents in the county during the war there were no engagements, the nearest being the battle of Front Royal, in which many Confederate soldiers from Rappahannock participated. But the war and the turbulent times in the county thereafter were of other years and another story.□

Chap. 73 - An ACT forming a new county out of the county of Culpeper.

(Passed February 8th, 1833)

Rappahannock county created.

Its boundaries.

Governor to commission justices of peace.

Their oaths.

Monthly courts when to be held.

Commissioners to select place for holding courts.

1. BE IT ENACTED BY THE GENERAL ASSEMBLY, That all that part of the county of Culpeper lying next to and adjoining the counties of Shenandoah and Page, and contained within the following boundary lines, to wit: Beginning at the corner of Madison and Culpeper counties upon the top of the Blue Ridge of mountains, and running thence with the line of said counties to the point where it is intersected by Hugh's river, above the junction of Hugh's and Hazel rivers; thence with Hugh's river to the junction of the aforesaid rivers; thence to a bend in the river near a point called the Giant's castle; thence to Horner's mill upon the Fauquier and Culpeper line; thence with said line to the corner of the aforesaid counties upon the top of the Blue Ridge; thence with said mountains to the beginning, shall form one distinct and new county and be called and known by the name of Rappahannock county.

2. The governor shall commission twenty-five persons as justices of the peace, in and for the said county of Rappahannock, who shall, before entering upon and executing the duties of the said office, take the several oaths now required by law of persons commissioned as justices of the peace; which oaths may be administered by any justice of the peace now in commission for either of the counties of Madison, Fauquier or Shenandoah.

3. A court for the said county of Rappahannock shall be held by the justices thereof, on the first Monday in every month after the same shall have been organized, in like manner as is provided by law for other counties, and shall be by their commissions directed.

4. And in order the more impartially and correctly to ascertain the most proper place for holding courts and erecting public buildings for the said county of Rappahannock, Charles Hunton of the county of Fauquier, John E. Shell of the county of Brunswick, Charles James Faulkner of the county of Berkeley, William M. Robertson of the county of

Their duty.

First court where and when to be held.

Who to collect public dues.

Jurisdiction of courts of Culpeper.

Judicial circuit. Circuit court, when to be held. See post. ch. 74, s4, Brigade district. Senatorial, electoral and congressional districts. Representation.

Page, William D. Simms of the county of Halifax, and James Richards of the county of Culpeper, gentlemen, shall be and they are hereby appointed commissioners, a majority of whom may act, for the purpose aforesaid, whose duty it shall be, after having performed the services hereby required, to make report thereof in writing to the court of the said county of Rappahannock; whereupon, they, the said court, shall proceed to cause the necessary public buildings to be erected at the place so fixed upon as the site for the same by the said commissioners or a majority of them; which, when completed, shall be the permanent place for holding courts for the said county of Rappahannock.

5. The justices of the peace, commissioned and qualified as aforesaid, for the said county of Rappahannock, shall meet at the house now the residence of A.M. Cox, in said county, on the first Monday in April next, and a majority of them being present, shall proceed to the appointment of a clerk of the said court; shall nominate to the governor suitable persons to be commissioned as sheriff and coroner of the said county and fix upon a place for holding the courts of said county until the necessary buildings shall be constructed at the place designated by the said commissioners.

6. It shall be lawful for the sheriff of the county of Culpeper to collect and make distress for any public dues or officers' fees which shall remain unpaid by the inhabitants of the county of Rappahannock, at the time when this act shall commence and be in force, and shall be accountable for the same in like manner as if this act had never been passed.

7. The courts of the county of Culpeper shall have jurisdiction of all actions and suits depending before them on the third Monday in May next, and shall try and determine the same and award execution thereon.

8. The said county of Rappahannock shall be in and attached to the same judicial circuit with the county of Culpeper; and the circuit courts thereof shall be holden on the twentieth day of May and on the twentieth day of October in every year; and be of the same brigade district with the county of Culpeper.

9. The said county of Rappahannock shall belong to the same senatorial, congressional and electoral districts as the county of Culpeper.

10. The said county of Rappahannock and the county of Culpeper, shall each send one delegate to the house of delegates of Virginia, until a future re-appointment

Quarterly
courts.

Commissioners
to run dividing
lines.

Report of pro-
ceedings, to
be recorded.

Their compensation.

Compensation
to commissioners
for selecting site
for public buildings.

Commencement.

of representation shall take place.

11. The courts of quarterly sessions for the said county of Rappahannock shall be holden in the months of March, June, September and November in every year.

12. William J. Menefee of the county of Culpeper, Montague Parsons of the county of Culpeper, and Mark A. Chilton of the county of Fauquier, are hereby appointed commissioners to run and mark the line between the said counties of Culpeper and Rappahannock, as designated by this act, which, when run and marked, shall be taken and considered as the dividing lines between the said counties; and the said commissioners are hereby required to make report of their proceedings, in writing, to the county courts of Culpeper and Rappahannock respectively; which reports shall be recorded in the clerk's office of each of said counties; and in all controversies which may hereafter arise touching said lines, shall be conclusive evidence. The said county courts of Culpeper and Rappahannock, shall allow the said commissioners a reasonable compensation for their services, to be paid out of the county levy of each of said counties respectively in equal proportions.

13. The commissioners appointed by this act to designate and fix the site for the public buildings in the said county of Rappahannock, shall each be allowed and paid the sum of four dollars for every day that they shall be actually engaged in the duties aforesaid, to be provided for and paid out of the county levy of the said county of Rappahannock.

14. This act shall commence and be in force from and after the passing thereof.

**COMMISSION OF THE PEACE APPOINTED BY
JOHN FLOYD, GOVERNOR OF THIS COMMON-
WEALTH, APRIL 1, 1833**

1. William A. Lane
2. Thomas Spindle
3. Charles Shackelford
4. John Turner
5. French Strother
6. Gabriel Parkes
7. James Green
8. Daniel Mason
9. William Walden
10. George Deatherage
11. Burwell K. Wood
12. Robert Eastham
13. John D. Browning
14. James Menefee
15. Thomas Walden
16. William Slaughter
17. Howard F. Thornton
18. Henry R. Menefee
19. Dawson I. Burgess
20. Reuben Slaughter
21. Willis Browning
22. Elijah Amiss
23. Addison Turner
24. Alexander H. Spilman
25. John R. Browning

Quarterly
courts.

Commissioners
to run dividing
lines.

Report of pro-
ceedings, to
be recorded.

Their compensation.

Compensation
to commissioners
for selecting site
for public buildings.

Commencement.

of representation shall take place.

11. The courts of quarterly sessions for the said county of Rappahannock shall be holden in the months of March, June, September and November in every year.

12. William J. Menefee of the county of Culpeper, Montague Parsons of the county of Culpeper, and Mark A. Chilton of the county of Fauquier, are hereby appointed commissioners to run and mark the line between the said counties of Culpeper and Rappahannock, as designated by this act, which, when run and marked, shall be taken and considered as the dividing lines between the said counties; and the said commissioners are hereby required to make report of their proceedings, in writing, to the county courts of Culpeper and Rappahannock respectively; which reports shall be recorded in the clerk's office of each of said counties; and in all controversies which may hereafter arise touching said lines, shall be conclusive evidence. The said county courts of Culpeper and Rappahannock, shall allow the said commissioners a reasonable compensation for their services, to be paid out of the county levy of each of said counties respectively in equal proportions.

13. The commissioners appointed by this act to designate and fix the site for the public buildings in the said county of Rappahannock, shall each be allowed and paid the sum of four dollars for every day that they shall be actually engaged in the duties aforesaid, to be provided for and paid out of the county levy of the said county of Rappahannock.

14. This act shall commence and be in force from and after the passing thereof.

**COMMISSION OF THE PEACE APPOINTED BY
JOHN FLOYD, GOVERNOR OF THIS COMMON-
WEALTH, APRIL 1, 1833**

1. William A. Lane
2. Thomas Spindle
3. Charles Shackelford
4. John Turner
5. French Strother
6. Gabriel Parkes
7. James Green
8. Daniel Mason
9. William Walden
10. George Deatherage
11. Burwell K. Wood
12. Robert Eastham
13. John D. Browning
14. James Menefee
15. Thomas Walden
16. William Slaughter
17. Howard F. Thornton
18. Henry R. Menefee
19. Dawson I. Burgess
20. Reuben Slaughter
21. Willis Browning
22. Elijah Amiss
23. Addison Turner
24. Alexander H. Spilman
25. John R. Browning