

A Guide to the Henrico County (Va.) Enslaved and Free Records, 1789-1865

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A Collection in the Library of Virginia 1118451, 1160828, 1186850
Library of Virginia
2008

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History

Processed by: Library of Virginia staff

Title Statement

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Subtitle: Henrico County (Va.) Enslaved and Free Records, 1789-1865

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Publication Statement

Date: © 2008 By The Library of Virginia. All Rights Reserved.

Publisher: Library of Virginia

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Profile Description

Creation: Machine-readable finding aid derived from MARC record, created by Sarah Nerney, edited by Mary Ann Mason7 July 2008

Language Usage: Description is in English

Revision Description

2013-11-21 Converted to schema conforming EAD by dtd2schema.vh.xsl.

Descriptive Summary

Barcode numbers

1118451, 1160828, 1186850

Language

English

Collector

Henrico County (Va.) Circuit Court.

Physical Characteristics

1.5 cu. ft. (3 boxes)

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

There are no restrictions.

Use Restrictions

There are no restrictions.

Acquisition Information

These items came to the Library of Virginia in transfers of court papers from Henrico County.

Preferred Citation

Henrico County (Va.) Enslaved and Free Records, 1789-1865. Local government records collection, Henrico County Court Records. The Library of Virginia, Richmond, Virginia 23219.

Adjunct Descriptive Data

Related Material

Additional Henrico County Enslaved and Free Records can be found on microfilm at the Library of Virginia. Consult ["A Guide to Virginia County and City Records on Microfilm."](#)

Henrico County is one of Virginia's Lost Records Localities. Additional Henrico County Court Records may be found in the Virginia Lost Records Localities Collection at the Library of Virginia. Search the [Lost Records Localities Database](#) found at the Library of Virginia web site.

Digital records may be found in the Virginia Untold: The African American Narrative Digital Collection at the Library of Virginia. Search the [Virginia Untold: The African American Narrative Digital Collection](#) Virginia Untold: The African American Narrative Digital Collection available at Virginia Memory.

Historical Information

Henrico County was named for Henry, Prince of Wales, the oldest son of James I. It was one of the eight original shires established in 1634.

Beginning in 1778, enslavers who brought enslaved persons into Virginia were required to register the enslaved persons with the county court and sign an oath agreeing not to bring enslaved persons into the Commonwealth with the intent of selling them. Certificates of importation, sometimes entitled certificates of nonimportation, contain information whereby an enslaver swears that (s)he has not imported the enslaved person from Africa and that (s)he has not brought the enslaved person into Virginia with the purpose of selling the enslaved person. The enslaved person is sometimes named, but not always, and occasionally information is given as to age, birthdate, and the state the individuals are moving from.

"Lists of free negroes" were compiled by the commissioner of the revenue for tax purposes.

Acts passed by the Virginia Legislature in 1793 and 1803 required every "free negro" or "mulatto" to be registered and numbered in a book to be kept by the county clerk. This collection contains records involved in the registration process. The registration language and process varied across localities, thus the information and type of records may differ. Registration records found in this collection include numbered certificates that recorded the free person's name, sometimes age, a brief physical description, and the circumstances of the person's freedom or emancipation. If born free, a reference is sometimes made to the parents. If emancipated, the emancipating owner, place, and date may be mentioned. There are affidavits that were given by individuals affirming a free person's status, as well as written descriptions of free persons. In addition, there are registrations that are loose papers matching information found in the bound volumes of registered "free negroes" kept in the court house.

In 1806, the General Assembly moved to remove the free Black population from Virginia with a law that stated that any emancipated enslaved persons, freed after May 1, 1806, who remained in the Commonwealth more than a year, would forfeit the right to freedom and be sold by the Overseers of the Poor for the benefit of the parish. Families wishing to stay were to petition the legislature through the local county court. Beginning in 1837, emancipated enslaved persons could petition the local courts for permission to remain.

An act passed by the Virginia legislature required that a register be kept by the clerk of court for every

enslaved person held by any enslaver for his or her life only. See Revised Code of Virginia 1819, volume 1, p. 439, section 70; Code of Virginia 1849, chapter 103, section 8; and Code of Virginia 1860, chapter 103, section 14.

Recognized in 1634 as an original shire. All county court records prior to 1655 and almost all prior to 1677 are missing. Many records were destroyed by British troops during the Revolutionary War. Post-Revolutionary War county court records exist. Almost all circuit superior court of law and chancery and circuit court records were destroyed by fire during the evacuation of Richmond on April 3, 1865, during the Civil War. The county's circuit court held its sessions at the state courthouse in Richmond.

Scope and Content

Materials in the Library of Virginia's collections contain historical terms, phrases, and images that are offensive to modern readers. These include demeaning and dehumanizing references to race, ethnicity, and nationality; enslaved or free status; physical and mental ability; religion; sex; and sexual orientation and gender identity.

Henrico County (Va.) Enslaved and Free Records, 1789-1865, consist of "Applications for non-negro certification" (1852-1853); "Applications for registration as a free negro"(1791-1858); "Deeds of manumission or emancipation" (1789-1810); "Divisions of slaves as estate property" (1818-1823, 1856); "Free Negro and Mulatto registrations"(1794-1865, undated); "Free negro and mulatto tax records" (1824-1864); "Petitions to remain in the Commonwealth" (1817-1863); "Runaway slave causes" (1804-1864); "Slave hire papers" (1817-1819, 1847); "Valuations and sales of runaway slaves" (1824-1836); Miscellaneous enslaved records (1812-1817, 1851-1854); and Miscellaneous free negro papers" (1816-1864).

"Applications for non-negro certification," 1852-1853, consist of requests by John Scott Bailey (1852) and Braxton Smith (1853) to be declared not a Black person due to their white or Native American ancestries. Bailey's application includes affidavits.

"Applications for registration as a free negro," 1791-1858, are petitions and applications made to the court for a person to be registered as a free Black person or free person of color in Henrico County. Occasionally proof of free status is included. There is usually a notation on the document as to the outcome of the application.

"Deeds of manumission or emancipation," 1789-1810, record the name of the former enslaver, the name of the enslaved person, the date or age at which the enslaved person will be freed, the date the deed was written, and the date the deed was proved. The age of the enslaved person at the time the deed was written, a surname assigned to the freed enslaved person by the enslaver, and the enslaver's reason for emancipation are sometimes given.

Divisions of enslaved persons as estate property, 1818-1823, 1856, are records created by commissioners appointed by the court to divide enslaved persons between the heirs of a deceased person. Listed are the heirs, which enslaved persons they received from the estate, and sometimes the valuation of the enslaved individual.

"Free Negro and Mulatto registrations," 1794-1865, undated, recorded the free person's name, sometimes age, a brief physical description, and the circumstances of the person's freedom or emancipation. If born free, a reference is sometimes made to the parents. If emancipated, emancipating enslaver, place and date of emancipation, and prior registration are usually recorded. There may also be affidavits that were given by individuals affirming a free person's status, as well as written descriptions of free persons. In addition, there are registrations that are loose papers matching information found in the bound volumes of registered "free negroes" kept in the court house.

"Free Negro and mulatto Tax records,"1824-1864, were compiled by the commissioner of the revenue for tax purposes, and records the names of free adult Black persons and persons of color within a district, as well as children, place of abode, and trade or occupation for the adult males and females.

This collection include "lists of free negroes," "lists of delinquent free negro taxpayers", and "lists of free negroes offered for hire to pay off their delinquent taxes." Not every type of list exists for every year. The lists of delinquent taxpayers and free negroes offered for hire include names, usually the amount of tax delinquent, and sometimes to whom hired and the amount paid for the hire. Notations are also made if effects were found that could be seized and sold in order to pay off the tax owed. One list from 1851 indicates that some of the free Black persons on the delinquent tax lists were enslavers. The lists of free negroes include name, age, and occupation. Some lists indicate where a person was registered as a free person.

"Petitions to remain in the Commonwealth," 1817-1863, record the name of the petitioner, the circumstances of free status, and a request to remain in the county often with accompanying names of citizens who can testify to the free status or who support the request of the petitioner to remain. Free registrations and other supporting documents may also be included.

"Runaway slave causes," 1804-1864, include information about persons taken up as self-liberators and jailed, bills for advertisements placed in the newspaper, newspaper clippings of "runaway advertisements", and other courses of action taken to determine who a enslaved person's enslaver was. The name of the enslaved person is included as is the enslaver's name if that could be determined.

"Slave hire papers," 1817-1819, 1847, are records of private arrangements of slave hires.

"Valuations and sales of runaway slaves," 1824-1836, include information about persons taken up as self-liberators whose enslavers could not be found who were then assigned a value and sold by the court. Included are the name of the enslaved person, the assigned value, sometimes bills for advertisements placed in the newspaper, and sometimes information about the purchaser.

Miscellaneous enslaved records, 1812-1854, include a list of enslaved persons bequeathed to Sarah Gunn in the will of her son James Gunn (1812); the memo of William Fulcher as agent for Andrew Smith about enslaved persons exported from Virginia (1813); Abel Upshur's certificate for transport of enslaved persons into the state (1817); a list of enslaved persons held for a term of years or for life (1851); and a list of enslaved persons belonging to the estate of John H. Washington (1854).

Miscellaneous free Black persons and free people of color papers, 1816-1864, include county claims related to Harry Davis, a free man who died after being erroneously taken up as a "runaway" (1816); a letter of character for Anthony Matthews to receive a business license (1818); a letter of character for William Lucas to get a shopkeeper's license (1822); an order concerning the hire of Hannah Richardson after being jailed as a "runaway" in order to pay her jail fees (1836); the hiring out of Livinia to pay her jail fees (1856); an advertisement by Robert Morse for the return of his lost free papers (1859); Mary Watson's summons for witnesses to prove her freedom (1859); bond of George Jones to leave the state within ten days (1860); and two notices of free Black persons hired out or sold into enslavement (1864).

Arrangement

Arranged chronologically by record type.