

A Guide to the Lancaster County (Va.) Deeds and Wills, 1661-1800

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1661-1800

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History

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Descriptive Summary

Barcode number

1151866

Language

English

Collector

Lancaster County (Va.) Circuit Court.

Physical Characteristics

1 v. (negative photostat) (213 leaves)

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

The staff of the Virginia State Library's (now the Library of Virginia) Archives Division, under the accession number 26678, compiled and created a negative photostatic volume from original deeds and wills found in the Library's collection.

Preferred Citation

Lancaster County (Va.) Deeds and Wills, 1661-1800. Local government records collection, Lancaster County Court Records. The Library of Virginia, Richmond, Virginia 23219.

Adjunct Descriptive Data

Related Material

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

Historical Information

Lancaster County was formed from Northumberland and York Counties sometime between 26 March and 16 September 1651. The county court first met on 1 January 1652. The county was named probably for the English county.

A deed was signed by the grantor, and possibly his wife or anyone else having a claim to the property, and by at least two witnesses. On presentation to the court, deeds were proved and recorded. If the deed was not witnessed, the grantor acknowledged the deed in open court. Individuals dying with a written will died testate. After the death of an individual, his or her will was brought into court, where two of the subscribing witnesses swore tha the document was genuine. After the will was proved, the executor or executrix was bonded to carry out his or her duties to settle the estate. The court then ordered the will to be recorded.

The original deeds and wills, from which this volume was created and compiled, were created by the County Court.

Scope and Content

Lancaster County (Va.) Deeds and Wills, 1661-1800, is a volume comprised of copies made of loose deeds and wills recorded in the county. The volume is divided into two sections: Deeds, 1699-1800, Leaves 1-51 and Wills, 1661-1795, Leaves 52-213. The types of deeds recorded in the volume include indentures (including land and apprentice indentures), a bill of sale and deeds of gift. An indenture is a deed to which two or more persons are parties, in which they enter into reciprocal and corresponding grants or obligations to each other; such a deed is cut or indented, along the top or side edge to resemble the teeth of a saw. Over time, the cutting became more commonly either a waving line or notching at the edge of the instrument. Apprentice indentures are bonds and contracts showing the names of the master and apprentice, the trade to be taught, details of the contract, amount of the bond and names of sureties as noted on page 37. A bill of sale is an instrument for the conversion of title to personal property. In this particular instance, one individual is giving nine hogshead to tobacco to another. A deed of gift is a deed of property that the grantee does not have to purchase. Older persons sometimes made deeds of gift to their children or grandchildren instead of making a will. The older person usually retained the right to use the property for the rest of their life or specified that the grantee would use the property for the grantor's benefit during the grantor's life time.

The wills included in the volume record the deceased's plan for how his or her estate was to be divided among his or her heirs following his or her death. Information commonly found in wills include the name of the deceased, also referred to as the testator; names of heirs; a list of real and personal property (including slaves) and how it was to be divided among the heirs; names of individuals who were to be the will's

executors; the date the will was written and the date that the will was recorded at the court house. Nuncupative wills are oral wills.

There is a separate internal index for each section. Each index is arranged alphabetically by the individual's surname. The pages are labeled I-V with Roman numerals. The index to the deeds lists the date when the deed was recorded, the names of both the grantor and grantee for each deed and the corresponding page numbers. The index to the wills notes the date when the will was recorded and the corresponding page number. The volume includes copies of the front and back of all documents. The last will found in the volume, Jesse Chilton (1795) pp. 212-213, was not recorded in the will index.

Index Terms

Corporate Names:

Lancaster County (Va.) Circuit Court.

Subjects:

African Americans--History.
Apprentices--Virginia--Lancaster County.
Estates (Law)--Virginia--Lancaster County.
Land subdivision--Virginia--Lancaster County.
Personal property--Virginia--Lancaster County.
Public records--Virginia--Lancaster County.
Real property--Virginia--Lancaster County.
Slaveholders--Virginia--Lancaster County.
Slaves--Virginia--Lancaster County.

Geographical Names:

Lancaster County (Va.)--History.

Genre and Form Terms:

Bills of sale--Virginia--Lancaster County.
Bonds (legal records)--Virginia--Lancaster County.
Contracts--Virginia--Lancaster County.
Court records--Virginia--Lancaster County.
Deeds--Virginia--Lancaster County.
Gifts--Virginia--Lancaster County.
Land records--Virginia--Lancaster County.
Local government records--Virginia--Lancaster County.
Will books--Virginia--Lancaster County.
Wills--Virginia--Lancaster County.

Added Entry - Corporate Name:

Lancaster County (Va.) County Court.

Arrangement

Arranged chronologically.