

A Guide to the Virginia Auditor of Public Accounts - General Court Records, 1781-1862 (bulk 1783-1820)

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History

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A Guide to the Virginia Auditor of Public Accounts - General Court Records, 1781-1862 (bulk 1783-1820)

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APA 96

Language

English

Creator

Virginia. Auditor of Public Accounts (1776-1928)

Extent

9.45 cu. ft. (21 boxes)

Repository

The Library of Virginia

Administrative Information

Access Restrictions

There are no restrictions.

Use Restrictions

There are no restrictions.

Acquisition Information

Transferred from the Auditor of Public Accounts in 1913.

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Biographical Information

The General Court operated during the colonial period as the principal court and the only court of final appeal in Virginia. It was composed of the members of the governor's council. Its operation was suspended during the first year of the revolutionary war, but was reestablished by an act of the General Assembly passed at its session begun in October 1777.

The jurisdiction of the new General Court was reduced substantially from that of its colonial predecessor. Besides hearing appeals on criminal cases the court was concerned with common law cases involving debtors, the probate of wills and granting of administrations, and, until 1814, the recording of deeds. Most civil cases were heard by the Supreme Court of Appeals.

The General Court was composed of judges of other state courts who met at the state capitol. The constitution adopted in 1851 abolished the General Court, and the cases still pending before it were transferred to the Supreme Court of Appeals. Almost all of the records of the General Court were destroyed in the Richmond evacuation fire of 3 April 1865.

During its session begun in November 1781 the General Assembly passed an act authorizing the solicitor general to file motions in the General Court against local officials who were delinquent in their accounts with the commonwealth. Each official was notified that a motion was pending so he could settle his accounts before the case was heard. Failing this, the court entered a judgment against the official, and the solicitor issued a request that the judgment be executed. After the judgment was executed, the fact was noted in a return made to the court. These functions devolved upon the auditor of public accounts after the solicitor general was abolished in 1792.

Scope and Content

Records, 1786-1862 (bulk 1783-1820), including accounts, correspondence, executions, judgments, lists, motions, receipts, and returns of the Virginia General Court. The collection is arranged alphabetically by folder title into twenty-one boxes.

The Solicitor General (pre-1792) and Auditor of Public Accounts (post-1792) were authorized by the General Assembly to file motions in the General Court against local officials who were delinquent in their accounts with the Commonwealth. The delinquent accounts included fines (militia fines, taxes, proceeds for sale of land, license fees, estate settlements, etc.) collected by local officials (sheriffs, county clerks, county lieutenants, etc.) but not paid to the Commonwealth. The process included notifying the local official that a motion was pending (notices and correspondence) so that he could settle his accounts before the case was heard. Failing this the court entered a judgment (judgments) against the official and the solicitor/auditor issued a request that the judgment be executed (executions and receipts for executions). After the judgment was executed the fact was noted in a return made to the court (returns).

Included are Solicitor and Auditor Offices correspondence and directions, 1783-1862, to agents instructing them to deliver notices to local officials. The correspondence lists the localities to visit and to whom to provide the notices. Also included are letters regarding expenses accrued by agents on their trips. Included are lists of judgments obtained and lists of motions before the General Court. Of note the judgments, 1852, were sent to companies for failing to report dividends declared. The lists of motions, 1785-1814, consists mostly of ledgers noting what motions were in front of the General Court. Includes motions against inspectors who failed to render accounts of the duties they collected and lists the residence, inspectors name, name of the ship/sloop, goods, name of the warehouse storing the goods, and amount of interest or tax owed. Of note are the returns, 1781-1790, which include details on why taxes weren't collected or noting that the delinquent accounts were satisfied. Often the reason stated why taxes weren't collected was because property that was to be sold didn't have any buyers. The returns list the property to be sold, including noting the number (but not names) of enslaved people.

These records are part of Auditor of Public Accounts. Office Records: State Courts - General Court.

Arrangement

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