

James City Legal Form Book

James City Legal Form Book
1762-1773

Title Statement

James City Legal Form BookGuide to the James City Legal Form Book Mss. MsV Lev9 Oversize

Publication Statement

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Notes

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Descriptive Summary

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Mss. MsV Lev9 Oversize

Unit ID

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Unit Date

1762-1773

Language

English

Extent

1.00 Linear Feet

Extent

136 p. : bound volume ; 41 cm.

Repository

Special Collections Research Center

Administrative Information

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Preferred Citation:

James City Legal Form Book, Special Collections Research Center, Swem Library, College of William and Mary.

Scope and Contents

This book is a compilation of legal forms intended for use by a Virginia lawyer and by others associated with the early Virginia courts. It is not currently a bound book, but there are surviving front and back covers, and holes in many of the pages showing how the book had once been assembled.

Neither the compiler of these forms nor the owner (or owners) of the form book is known. There does appear, however, a name on the back cover (V. Peyton), written twice. Different styles of handwriting appear throughout the book's pages. In a few places the compiler created section headings, as for "Oaths," "Appeals," "Chancery," and directives concerning "The duty of Clerks so far as it respects Criminals..." In the latter case, there are instructions informing the clerk as to how a criminal trial would ordinarily proceed and what the clerk should say at various stages of the proceeding (set off in quotation marks).

Some of the forms are clearly based on pre-Revolutionary models, as they begin by referring to the colony's sovereign, typically shown as: "George the Third by the Grace of God of Great Britain, France and Ireland Defender of the Faith" (who reigned from 1760-1820). Other forms show various years, ranging from 1746-1794, which may be the years appearing on the models for these forms. Many of the forms include jurisdictional references to James City County and York County, or to proceedings held at Williamsburg.

As these are forms, there are placeholders (gaps or blanks drawn) for the insertion of a county name, being the jurisdiction for a particular proceeding. Where parties' names are to be inserted, there are often letters used as placeholders (like the letters "A" and "B," indicating a plaintiff's first name and last name). However, there are forms in the latter part of the book which actually show names for litigants and dates, suggesting that these are full copies of the actual records. For many of the forms, the compiler made marginal notations, indicating the kind of form it is (e.g., a "Subpoena in Chancery").

Some of the pages in the book are numbered; there are also places where groups of forms are numbered, but there is no surviving index showing "what form is where."

In terms of substance, these forms reflect matters of everyday importance or consequence to early Virginians. Concerning a single woman and her child, there is a sample order adjudicating the responsibility of a man found to be the father of a "bastard child" and directing him to pay support to the local parish. The compiler included a form order suspending the execution of a woman "quick with child." In regard to an enslaver's interest in his "property," there is a form "Certificate of Valuation of Slave Condemned," establishing a value for that enslaved person. For other situations, the compiler included orders imposing punishment on a convict (such as being "burnt in the left hand" or being "hanged"). And, there is a sample account page showing payments due a sheriff for "whipping a person" and for "executing" a named individual.

Keywords

Records (documents)

James City County (Va.)--History--18th century

Lawyers--Virginia--James City County

Practice of law--Virginia--History

Description of Subordinate Components

Book

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Mixed Materials Wrapped Ledger (Bound Volume)