

HENRICO PARISH IN THE DIOCESE OF VIRGINIA

and the Parishes Descended Therefrom

By Morgan P. Robinson, Richmond, Va.

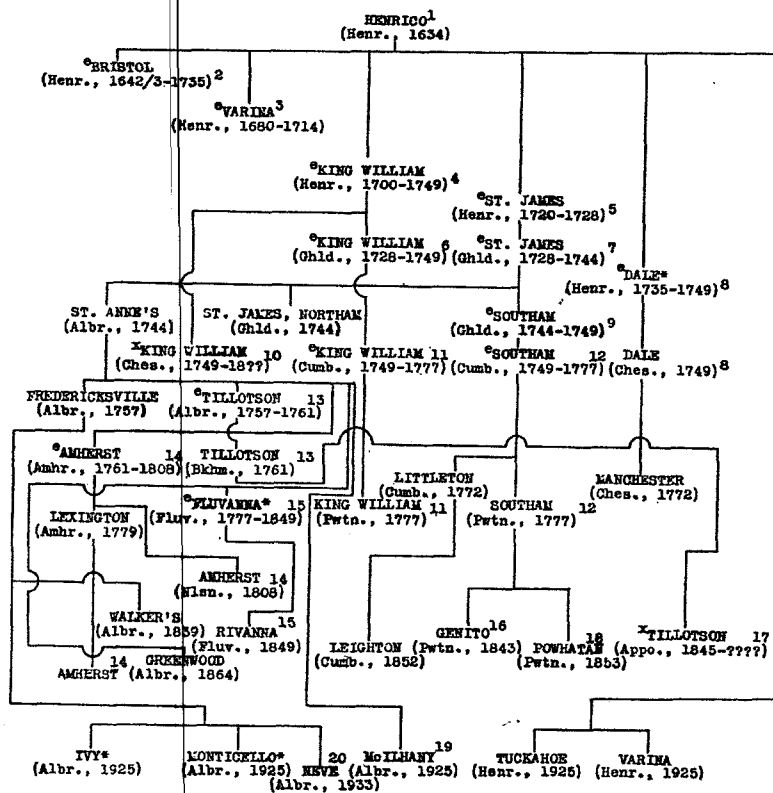
(The reader cannot hope to secure the maximum assistance from the accompanying chart, unless he understands clearly the term, "parish unit", as defined and illustrated on page 5).

The accompanying chart is a graphic presentation of how the parishes of the Henrico "line" drifted along from county to county (*e. g.*, King William), or along with them (*e. g.*, St. Anne's), as the population increased from decade to decade and pushed back the frontier. It is patterned after those in *Virginia Counties* (*Bulletin* of the Virginia State Library, vol. 9, Nos 1-3, January-July, 1916), pp. 161-171. Of the 40 "units" here shown, 27 carry notes which cite the sources, while the remaining 13 are in no wise involved and are based upon sources which are easily available. The only sources used are the *Acts* of the General Assembly of Virginia; the *Order, Deed and Will* books (where necessary); the *Journal* of the Diocese of Virginia, 1785-1934, of Southern Virginia, 1892-1934, and of Southwestern Virginia, 1919-1934; and Brydon's *Report Upon Parish Lines in The Diocese of Virginia* (1927).

The name of the parish is in CAPITALS and the data in parentheses are the county in which and the authorized date for the functioning of the ecclesiastical entity in that civil jurisdiction (or the limiting dates of its existence in said county). Paraphrasing the text of the *Bulletin* cited, p. 17, the following applies to this chart:

"The horizontal lines have no significance other than the adjustment and balance of the chart, except, of course, that the earliest parish from each mother-parish appears at left; while the vertical lines indicate in an approximately correct degree the chronological descent, the 'scale' being ten years, or a fraction

A glance at the chart will show that King William parish was formed in Henrico county in 1700 (H. iii, 201). Ob-



* originally formed from portions of more than one parish, the mother-parish here shown being the first named in the text.
e (superior): extinct, as shown by limiting dates.
x (superior): unable to ascertain whether dormant or extinct (as shown by limiting dates).

viously, it could not be stated that this included in Goochland county, had ex 1700, because Goochland was not for chap. ii). Likewise, it could not have or Powhatan in 1700, in which two the cause those counties were not formed in iii) and 1777 (H. ix, 322), respectively of a portion of it in Chesterfield, formed iv). Nevertheless, it is a fact that (formed in Henrico county in 1700) in the other four counties named.

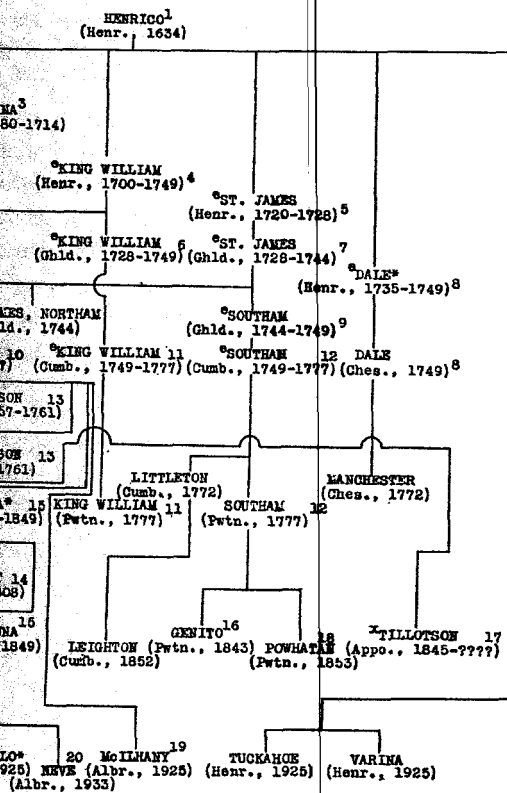
Hence, it has become necessary to existance separately and there has been a "parish unit," which here means, (1) a portion of a parish, in a civil jurisdiction different from the same parish (or any other civil jurisdiction, as illustrated below.

(1) Dale parish was formed in Henrico (1743), thereby forming the Henrico parish designated as DALE (Henr.). In 1749, was formed (*App.*, chap. iv), this entire parish included in the new county, thereby forming designated as DALE (Ches.); and as the "unit" became extinct.

(2) King William parish was formed from the old Henrico parish in Henrico county "at or about the year 1700" (H. iii, 201), thereby becoming the "unit" which was the Henrico "unit", designated as such in (Henr.). The major portion of this parish was formed Goochland, when Henrico county was divided (App., chap. ii), and there resulted the new parish designated as KING WILLIAM (Gld.). The "unit" became extinct in 1749, when the new parish was formed from "all that part of the said parish lying on the south side of James River" (Gld.). There resulted the Cumberland "unit" designated as KING WILLIAM (Cumb.). Also, in 1749, the new parish of King William parish, which had remained east of the line resulting from the division of Henrico county (note 10), fell in Chesterfield, when the new parish was formed from "all that part of the said parish lying on the north side of James River" (Cumb.).

typewritten line. Where two or more parishes
ence in the same year, they appear, in alphabetical
me distance below the mother-parish (*e. g.*, Fred-
Tillotson); and, if from different mother-parishes,
distance below the 'immigrant ancestor' (*e. g.*, Ivy,
Tuckahoe)."

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portions of more than one parish, the mother-parish
* named in the text.
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ascertain whether dormant or extinct (as shown by lin-

viously, it could not be stated that this parish, which was later
included in Goochland county, had existed in that county in
1700, because Goochland was not formed until 1728 (*App.*,
chap. ii). Likewise, it could not have existed in Cumberland
or Powhatan in 1700, in which two it was later included, be-
cause those counties were not formed until 1749 (*App.*, chap.
iii) and 1777 (H. ix, 322), respectively; and the same is true
of a portion of it in Chesterfield, formed in 1749 (*App.*, chap.
iv). Nevertheless, it is a fact that King William parish
(formed in Henrico county in 1700), or a portion of it, was
in the other four counties named.

Hence, it has become necessary to treat each phase of its
existence separately and there has been "coined" the phrase,
"parish unit," which here means, (1) a parish, or (2) any
portion of a parish, in a civil jurisdiction, as distinct and dif-
ferent from the same parish (or any portion of it) in *another*
civil jurisdiction, as illustrated below:

(1) Dale parish was formed in Henrico county in 1735 (H. iv,
443), thereby forming the Henrico "unit" of that parish, desig-
nated as DALE (Henr.). In 1749, when Chesterfield county was
formed (*App.*, chap. iv), this entire ecclesiastical entity was in-
cluded in the new county, thereby forming the Chesterfield "unit",
designated as DALE (Ches.); and at the same time the Henrico
"unit" became extinct.

(2) King William parish was formed in 1700 from Henrico
parish in Henrico county "at or adjacent to the said Manakin
towne" (H. iii, 201), thereby becoming an indeterminate area,
which was the Henrico "unit", designated as KING WILLIAM
(Henr.). The major portion of this "unit" fell in the newly
formed Goochland, when Henrico county was divided in 1728
(*App.*, chap. ii), and there resulted the Goochland "unit", desig-
nated as KING WILLIAM (Ghld.). Next, this Goochland
"unit" became extinct in 1749, when Cumberland county was
formed from "all that part of the said County of Goochland ly-
ing on the south side of James River" (*App.*, chap. iii), and
there resulted the Cumberland "unit", designated as KING
WILLIAM (Cumb.). Also, in 1749, that portion of King Wil-
liam parish, which had remained east of the Henrico-Goochland
line resulting from the division of Henrico county in 1728 (*see*
note 10), fell in Chesterfield, when that county was formed from

"all that Part of the said County of Henrico lying on the south side of James River" (*App.*, chap. iv); and there resulted the Chesterfield "unit", designated as KING WILLIAM (Ches.), while the Henrico "unit" became extinct at the same time. Then, the Cumberland "unit" became extinct in 1777, when that portion of Cumberland county became a part of Powhatan (H. ix, 322), in which county King William parish is at present, the designation being KING WILLIAM (Pwtn.).

Thus, it is seen that there were five "units" of King William parish, and the historian of this, or any other, parish must assemble the data concerning all the "units."

The following abbreviations are used:

Curved lines on the chart indicate that such lines *pass around* the straight lines involved.

A.—*Acts* of the General Assembly of Virginia for the session indicated.

Albr.—Albemarle county.

Amhr.—Amherst county.

App.—Appendix.

Appo.—Appomattox county.

Brdn.—*Report Upon Parish Lines in The Diocese of Virginia* (1927), by G. McLaren Brydon, Historiographer of the Diocese of Virginia (photostat copy in Archives Division, Virginia State Library).

Bkhn.—Buckingham county.

Ches.—Chesterfield county.

Cumb.—Cumberland county.

D. B.—Deed book of the county and date indicated.

e (superior)—Extinct, as shown by limiting dates.

Fluv.—Fluvanna county.

Ghld.—Goochland county.

Grne.—Green county.

Hawks—Hawks (F. L.) *Narrative of Events of the P. E. Church in Virginia*.

H.—Hening's *Statutes at Large* (Va.).

Henr.—Henrico county.

J. C.—James City county.

l (superior)—State Land Office (Richmond).

Meade—Meade (Wm.) *Old Churches, Ministers and Families of Virginia*.

Nlsn.—Nelson county.

O. B.—Order book of the county and date indicated.

p (superior)—Photostat copy in Archives Division, Virginia State Library.

Pwtn.—Powhatan county.

S.—Shepherd's continuation of *Hening*.

t (superior)—Transcript in Archives Division.

v (superior)—In Archives Division, Virginia.

Va.—*Journal* of the Convention of the Diocese indicated.

W. B.—Will book of the county and date indicated.

x (superior)—Unable to ascertain whether shown by limiting dates).

NOTES

1—Brdn., 4, says:

"The first settlers of Virginia brought to this country the body of English custom and law, and ecclesiastical law. In England the law was by statute or charter but by tradition, and processioning. The first parishes in Virginia being with the first settlements, and were called Corporations or Hundreds as the more ancient ones were called. The word 'parish' is first used in this sense, as designating a community of people (125-6).

"After 1632 however the word seems to have its present meaning (Hening i, 155 et seq.) and precincts wherein parochial authorities were exercised.

"Three stages may be distinguished in the history of Colonial Virginia.

"First, from 1607 to about 1655, when the Parish or the nucleus of one. Few of these parishes were yet developed, and the boundaries between them."

Brdn., 75, says:

"This parish [Henrico] may be said to have been at which time a settlement was made at Henrico built. At that early date there was, of course, parish bounds, each Burrough or Plantation, such as called a parish."

The eight original shires (or counties) of Virginia (i, 224), but, so far as the text of this enactment goes, nothing to designate these areas as parishes. The counties of the same names actually resulted from the counties of 1634, these new ecclesiastical parishes, which had resulted from the existing parishes, which had resulted from the burroughs and hundreds, as fell within the boundaries.

of the said County of Henrico lying on the south River" (*App.*, chap. iv); and there resulted the "unit", designated as KING WILLIAM (Ches.), Henrico "unit" became extinct at the same time. Then, the "unit" became extinct in 1777, when that portion of the county became a part of Powhatan (H. ix, 322), and the King William parish is at present, the designating WILLIAM (Pwtn.).

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NOTES

1—Brdn., 4, says:

"The first settlers of Virginia brought with them from the mother country the body of English custom and tradition as well as the civil and ecclesiastical law. In England the parish bounds are fixed not by statute or charter but by tradition, and are preserved by annual processioning. The first parishes in Virginia therefore came into being with the first settlements, and were simply the Plantations, Corporations or Hundreds as the more or less distinct settlements were called. The word 'parish' is first used in the Statutes only in this sense, as designating a community or neighborhood (*Hening i*, 125-6).

"After 1632 however the word seems to be used always in its present meaning (*Hening i*, 155 et seq.) as the cure of a minister and precincts wherein parochial authorities exercise jurisdiction.

"Three stages may be distinguished in the development of the Parishes of Colonial Virginia.

"First, from 1607 to about 1655, when each plantation formed a Parish or the nucleus of one. Few of these had ministers, the tithe system was not yet developed, and the intervening wilderness made sufficient boundaries between them."

Brdn., 75, says:

"This parish [*Henrico*] may be said to date from the year 1611, at which time a settlement was made at Henricopolis and a church built. At that early date there was, of course, no regulations of parish bounds, each Burrough or Plantation, supplied with a church, being called a parish."

The eight original shires (or counties) were formed in 1634 (*H. i*, 224), but, so far as the text of this enactment is available, there is nothing to designate these areas as parishes. If co-terminous parishes of the same names actually resulted from the legislation forming the counties of 1634, these new ecclesiastical jurisdictions absorbed such existing parishes, which had resulted from the settlement of plantations, burroughs and hundreds, as fell within the bounds of the original civil

units; nor could any parishes (generally speaking) have resulted from county court orders prior to 1634. On the other hand, we have no former nor subsequent enactments forming parishes* of the same names as the eight original counties, in spite of the fact that parishes of some of these names are mentioned in such of the 17th century records as have survived.

Furthermore, we have no order of the General Court forming parishes of any of these names prior to 1634, in spite of the fact that the *Minutes of the Council and General Court of Virginia*, p. 22, says, under date of Oct. 10, 1624, "Whereas Mr Robert [George] Keth was minister of y^e Corporacon of Elizabeth Cyttie, voluntarilie removed him self . . . Sr Francis Wyatt being Gournor. Appointed Mr Jonas Stogden to be minister of Pte [Part, M. P. R.] of the said Corporacion in regard y^e said parish is much enlarged".

Proceeding upon Brydon's statements quoted above, the following 17th century sources are cited in support of the hypothesis that the enactment forming the eight original counties formed automatically in each of these civil jurisdictions a co-terminous parish† of the same name:

(1) Henrico Parish:‡

(a) In 1657, the General Court record carries the entry, "Glebe Land of Henrico Pish" (*Minutes of the Council and General Court of Colonial Virginia*, 506).

(b) A "grant unto ye parish of Henrico in ye sd County a Dividend of Land being a Glebe and lying at Varina", dated Apl. 16, 1666, and recorded Oct. 7, 1672 (*Patents* 6, 427)¹.

(c) The Henrico record (December court, 1684) shows that

* Brown, *First Republic*, 254 (see also 313), says:

"It seems certain, however, that he [Argall] located definitely the then bounds of the four great Incorporations and Parishes of James Citty, Charles Citty, the city of Henricus and Kiccowtan".

It should be noted that not only is this statement qualified by "It seems certain, however," but, also, there is no citation of the source from which this important information was secured. Nevertheless, the *Minutes of the Council and General Court of Colonial Virginia*, p. 22, says under date of Oct. 10, 1624, "The Counsell . . . do conceive that Accordinge to the Companies Charter bearing date y^e 4th of Maye 1620 they have reserved to themselves the right of patronage of the minister and parishes of the fower Ancyent Buroughes whereof the corporato of Elizabeth Cyttie is one".

‡ Except for transposing James City and Henrico for obvious reasons, these parishes are listed as the counties appear in H. i, 224.

† Sainsbury, vol. 11, 184^t, says, under date, Feb. —, 1623/4, "Henrico was quitted in the time of Sir. Thomas Smythe's government, only a small Church and one house remaining".

Capt. William Randolph gave his "to ye poor of Henrico Parish" (O. 1).

(d) The Henrico record (Apl. 1, 1697) gives their lists [of tithables] to Mr. [Name] wards on ye South Side of Henrico (1678-1693, 209)².

(e) The deed of Thomas Farrar recorded in Henrico Aug. 1, 1691, conveys to William Soane 60 acres in ye county & pish of Henrico from the Glebe belonging to Henrico.

(f) The will of Thomas Cocke, recorded in Henrico Apl. 1, 1697, bequeathes one thousand pounds of the of a bell for Henrico parrish Church.

(2) James City Parish:

(a) In Jan., 1639 (H. i, 229), the inhabitants of Lanes [Lawn's] City a parish . . . in respect of the remoteness parish they belong . . . " (H. i, 229).

(b) In 1642/3, the Assembly enacted for the Gov'r. for the time being minister as he shall allow of in Jan. i, 242).

(c) In 1644/5, the Assembly authorized City parish, "with the consent of Mr. of James Citty parish" (H. i, 298).

(d) In 1647, SOUTHWARK (H. i, 298) accordingly assented unto and enacted satisfy vnto the minister of James . . . and repairing of the church and

(e) In 1680, James City was one of the Governor and reported to the Bishop *ords of Virginia*, Senate Document (H. i, 298) bury, vol. 18, 66^t).

(f) In 1698/9, "The petition of some lower parts of Wilmington Parrish to James City Parish . . ." (*Executive Virginia*, vol. i, 409).

(3) Charles City: unable to find any record.

(4) Elizabeth City: unable to find any record. *Hening*, iv, 240, carries the title of a vestry.

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Capt. William Randolph gave his "title to ye above Order to to ye poor of Henrico Parish" (*O. B.*, 1678-1693, 172)ᵛ.

(d) The Henrico record (Apl. 1, 1686) shows that "down- wards on ye South Side of Hen:co pish [the inhabitants] to give their lists [of tithables] to Mr. John Worsham" (*O. B.*, 1678-1693, 209)ᵛ.

(e) The deed of Thomas Farrar, dated Aug. 1, 1691, and recorded in Henrico Aug. 1, 1691 (*Records*, 1688-1697, 215)ᵛ, conveys to William Soane 60 acres "scituate lying and being in ye county & pish of Henrico . . . dividing the said Farrar's from the Glebe belonging to Henrico Pish".

(f) The will of Thomas Cocke, dated Dec. 10, 1696, and re- corded in Henrico Apl. 1, 1697 (*Records*, 1688-1697, 486)ᵛ, bequeathes one thousand pounds of tobacco "towards the buying of a bell for Henrico parrish Church".

(2) James City Parish:

(a) In Jan., 1639 (H. i, 229), the Assembly enacted "that the inhabitants of Lanes [Lawn's] Creeke should be reduced into a parish . . . in respect of the remoteness of Ja: Cittie, to which parish they belong . . ." (H. i, 277-278).

(b) In 1642/3, the Assembly enacted "that it shall be lawfull for the Gov'r. for the time being to elect and admit such a minister as he shall allow of in James-Citty parish . . ." (H. i, 242).

(c) In 1644/5, the Assembly authorized a division of James City parish, "with the consent of Mr. Thomas Hampton, rector of James Cittie parish" (H. i, 298; *ibid*, 317).

(d) In 1647, SOUTHWARK (J. C.) was formed: "It is accordingly assented unto and enacted, provided they pay and satisfy vnto the minister of James City all customary tithes . . . and repairing of the church att Ja: Citty" (H. i, 347).

(e) In 1680, James City was one of the parishes listed by the Governor and reported to the Bishop of London (*Colonial Rec- ords of Virginia*, Senate Document (Extra), 1874, p. 103; Sains- bury, vol. 18, 66^t).

(f) In 1698/9, "The petition of some of the Inhabitants in the lower parts of Wilmington Parrish desiring to be taken into James City Parish . . ." (*Executive Journals of the Council of Virginia*, vol. i, 409).

(3) Charles City: unable to find any 17th century sources.

(4) Elizabeth City: unable to find any 17th century sources, but *Henning*, iv, 240, carries the title of an act (1727) dissolving the vestry.

- (5) Warwick River: unable to find any 17th century sources.
- (6) Warrosquoake: unable to find any 17th century sources, but *Henric*, iv, 355 (1732) and 443 (1734) made divisions of this parish.
- (7) Charles River: unable to find any 17th century sources.
- (8) Accawmack: unable to find any 17th century sources.

In 1637, Warrosquyoake county was changed to Isle of Wight.

- (9) Isle of Wight (parish):

(a) In 1680, Isle of Wight was one of the parishes listed by the Governor and reported to the Bishop of London (*Colonial Records of Virginia*, Senate Document (Extra), 1874, p. 103; Sainsbury, vol. 18, 66*).

In 1642/3, Accomack county was changed to Northampton; Warwick River county was changed to Warwick; Charles River county was changed to York.

- (10) Northampton (parish):

(a) In 1680, Northampton was one of the parishes listed by the Governor and reported to the Bishop of London (*Colonial Records of Virginia*, Senate Document (Extra), 1874, p. 103; Sainsbury, vol. 18, 66*).

- (11) Warwick River: unable to find any 17th century sources.

- (12) York:

(a) A marriage settlement by Ralph Wormley, "of the Parrish and County of Yorke, in Virginia", dated July 2, 1645, was recorded in Northampton county on July 13, 1645 (*Records*, 1640-1645, 364)*.

(b) The will of Richard Smith, "of the pish of Yorke in Virginia", dated Mar. 24, 1644, was recorded in York on Mar. 27, 1646 (*Records*, 1638-1648, 119)*.

(c) A marriage settlement by John Chew, "of the Parrish and County of York", dated Mar. 24, 1654, and recorded in York on May 18, 1652 (*Records*, 1633-1695, 132)*.

(d) The will of William Hawkins, "of the parrish and County of York", dated Mar. 24, 1654, and recorded in York on June 25, 1655 (*Records*, 1633-1695, 215)*, bequeathes a silver flagon "to be & remain to and for the use of the Inhabitants of York Parrish in the Church belonging thereto".

(e) The assignment of Bryan Smith, who married Dorothy Tucker, "the only daughter and heir of Daniel Tucker late of York pish in the County of York", dated July 19, 1670, was recorded in York on Jan. 11, 1670 (*Records*, 1664-1672, 311)*.

(f) York county was formed in 1642/43, taking the name of Charles River county. It early does not show Charles River parish as distinct (in the sense in which that word is used) in the formation of York parish; but it *does* evidently come into existence at the time York parish was formed.

(g) A bond conditioned of John Warrington, "County of York", dated May 18, 1696, was recorded in York, 2, 1695/6 (*York Records*, 1694-97, 283)*.

2—BRISTOL (Henr.) was formed from Henrico in 1642/3 "to beginn . . . at Powell's Creek of the [Appamattock] river, and so to extend to the falls" (H. i, 251). At that time, HENRICO was the present counties of Henrico, Chesterfield, land, Buckingham and a part of Appomattox. A large area on the north side of James river was the falls.

In 1735, DALE (Henr.) was formed from Henrico (Henr.) south of James river, "together with Bristol parish which lies on the north side of the said county of Henrico" (H. iv, 444). DALE (Henr.) became extinct in 1735, when it was united to Henrico.

3—Brdn., 169, says:

"Varina Parish [is] the same as Henrico. Varina Parish was frequently used during the 17th century when the principal church in the parish was the Varina Church. The list of parishes of 1680 gives the name of Varina, and the name appears in the [the] lists of 1702 and 1714 the name is Henrico'.

"In 1925 after a lapse of two hundred years the Varina Parish was again given to a new parish in Henrico County in which the original Varina Church was the principal church.

The "list of parishes" was an official list compiled by the Governor and sent to the Bishop of London. The Varina parish was listed officially as early as 1680. These are the earliest and the latest dates mentioned; and, while there was mention of the parish later, as pointed out, such mentions do not have official status. Out of the confused statements

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 2, 1695/6 (*York Records*, 1694-97, 283).

2—BRISTOL (Henr.) was formed from HENRICO (Henr.) in
 1642/3 "to beginn . . . at Powell's Creek on the westward side of
 the [Appamattock] river, and so to extend up the river to the
 falls" (H. i, 251). At that time, HENRICO (Henr.) embraced
 the present counties of Henrico, Chesterfield, Powhatan, Cumber-
 land, Buckingham and a part of Appomattox, in addition to a
 large area on the north side of James river and to the west of
 the falls.

In 1735, DALE (Henr.) was formed from that portion of HEN-
 RICO (Henr.) south of James river, "together with that part of
 Bristol parish which lies on the north side of Appamattox river,
 in the said county of Henrico" (H. iv, 443). Thus, BRISTOL
 (Henr.) became extinct in 1735, when it was used in the forma-
 tion of DALE (Henr.).

3—Brdn., 169, says:

"Varina Parish [is] the same as Henrico Parish. The name
 Varina Parish was frequently used during the period 1660 and
 1720 when the principal church in the parish was Varina Church.
 The list of parishes of 1680 gives the name of the parish as
 Varina, and the name appears in the deeds of that period. In
 [the] lists of 1702 and 1714 the name is given as 'Varina als
 Henrico'.

"In 1925 after a lapse of two hundred years the name Varina
 was again given to a new parish in that section of Henrico
 County in which the original Varina Church stood".

The "list of parishes" was an official list prepared by the Gov-
 ernor and sent to the Bishop of London. It will be noted that this
 parish was listed officially as early as 1680 and as late as 1714.
 These are the earliest and the latest dates, so far as has been as-
 certained; and, while there was mention of the name both earlier and
 later, as pointed out, such mentions do not have the same tenable
 official status. Out of the confused statements of various sources,

it is believed that the limiting dates given (1680-1714) are the nearest approach to its official existence.

- 4—KING WILLIAM (Henr.) was formed from HENRICO (Henr.) in 1700 (H. iii, 201). The major portion of it fell in Goochland, when that county was formed from Henrico county in 1728 (*App.*, chap. ii). It became extinct in 1749, when that portion of it, which had remained east of the Henrico-Goochland line resulting from the division of Henrico county in 1728 (*see* note 10) fell in Chesterfield county, which was formed from "all that Part of the said County of Henrico lying on the south side of James River" (*App.*, chap. iv).
- 5—ST. JAMES (Henr.) was formed from HENRICO (Henr.) in 1720 (*App.*, chap. i); and it became extinct in 1728, when that portion of Henrico county became a part of Goochland county (*App.*, chap. ii).
- 6—KING WILLIAM (Ghld.) was formed from KING WILLIAM (Henr.) in 1728 by the act which divided Henrico county and formed Goochland (*App.*, chap. ii); and it became extinct in 1749, when Cumberland county was formed from "all that part of the said county of Goochland lying on the south side of James River" (*App.*, chap. iii).
- 7—ST. JAMES (Ghld.) was formed from ST. JAMES (Henr.) in 1728 by the act which divided Henrico county and formed Goochland (*App.*, chap. ii); and it became extinct in 1744, when its area was divided into ST. ANNE'S (Albr.), ST. JAMES, NORTHAM (Ghld.) and SOUTHAM (Ghld.) (H. v, 266).
- 8—DALE (Henr.) was formed in 1735 from HENRICO (Henr.), "together with that part of Bristol parish which lies on the north side of Appomattox river, in the said county of Henrico" (H. iv, 443); and it became extinct in 1749, when Chesterfield county was formed from "all that Part of the said County of Henrico lying on the south side of James River" (*App.*, chap. iv), at which date there was formed DALE (Ches.), which "unit" is still extant.
- 9—SOUTHAM (Ghld.) was formed from ST. JAMES (Ghld.) in 1744 (H. v, 266); and it became extinct in 1749, when Cumberland county was formed from "all that part of the said County of Goochland lying on the south side of James River" (*App.*, chap. iii).
- 10—KING WILLIAM (Ches.) was formed from KING WILLIAM (Henr.) in 1749, when Chesterfield county was formed from "all that Part of the said County of Henrico lying on the south side of James River" (*App.*, chap. iv). It has been impossible to ascer-

tain definitely whether it is dormant or when "so much of the southwestern corner of Chesterfield as lies next to and adjoining the west of Skinquarter creek . . ." was annexed (A., 1849/50, 26), as set forth below:

King William Parish,* formed in Henrico in 201), or a portion of it, was in the following periods indicated: Henrico (1700-1749); Cumberland (1749-1777); Powhatan (1777-1782).

There has never been an annexation to a portion of Goochland, Cumberland or Powhatan; no part of King William parish could have been formed from one of these counties; nor is there any name in Chesterfield, other than as a part of Henrico, formed in 1700.

On the other hand, Chesterfield was formed from that Part of the said County of Henrico lying on the south side of James River" (*App.*, chap. iv), and this, as a result of which any portion of King William parish fell into Chesterfield county. Therefore, if any portion of King William parish fell into Chesterfield, when that county was formed from Henrico in 1749, such portion must have been east of the Henrico-Goochland line resulting from the division of Henrico county in 1728 (*App.*, chap. ii) and, furthermore, it must have been "on the south side of James River."

The evidence submitted below, wholly confirms what is shown† (A) that a portion of King William parish, lying east of the Henrico-Goochland line resulting from the division of Henrico county in 1728 and, also, that

* Formed "for the encouragement of the said [settlers] to settle and remain together as near as may be in one town."

† *Conclusions* (A), (C) and (D), and the same (10), are predicated upon the assumption that the "parish" referred to is in each instance the actual parish (hereof), and not a "revenue district" of the same name, the confusion resulting from similar names being citations from the Henrico O. B., 1737-1738, that court for the collection of tithes in "Bristol parish" the fact that Bristol parish had become extinct in 1735 (H. iv, 443),—p. 45 (1738); 106 (1740); 107 (1743); 260 (1744).

However, even though these references were "distinct" at the dates indicated, that fact would not destroy the ecclesiastical entity of that name had formed from Henrico and Chesterfield counties referred to

that the limiting dates given (1680-1714) are the nearest to its official existence.

AM (Henr.) was formed from HENRICO (Henr.) (ii, 201). The major portion of it fell in Goochland, county was formed from Henrico county in 1728 (*App.*, became extinct in 1749, when that portion of it, remained east of the Henrico-Goochland line resulting from division of Henrico county in 1728 (*see note 10*) fell in county, which was formed from "all that Part of the of Henrico lying on the south side of James River" (*App.*, v).

(Henr.) was formed from HENRICO (Henr.) in (*App.*, chap. i); and it became extinct in 1728, when that portion of county became a part of Goochland county (*App.*, v).

AM (Ghld.) was formed from KING WILLIAM (Ghld.) in 1728 by the act which divided Henrico county and formed Goochland county (*App.*, chap. ii); and it became extinct in 1749, when that portion of county was formed from "all that part of the said county lying on the south side of James River" (*App.*, v).

(Ghld.) was formed from ST. JAMES (Henr.) in 1728 by the act which divided Henrico county and formed Goochland county (*App.*, chap. ii); and it became extinct in 1744, when its area was divided between ST. ANNE'S (Albr.), ST. JAMES, NORTHAMPTON and SOUTHAMPTON (Ghld.) (H. v, 266).

AM (Ghld.) was formed in 1735 from HENRICO (Henr.), that part of Bristol parish which lies on the north side of the James river, in the said county of Henrico" (H. iv, 443); and it became extinct in 1749, when Chesterfield county was formed from "all that Part of the said County of Henrico lying on the south side of James River" (*App.*, chap. iv), at which date it became extinct DALE (Ches.), which "unit" is still extant.

(Ghld.) was formed from ST. JAMES (Ghld.) in 1735; and it became extinct in 1749, when Cumberland county was formed from "all that part of the said County of Henrico lying on the south side of James River" (*App.*, chap. iv).

AM (Ches.) was formed from KING WILLIAM (Ghld.) in 1735, when Chesterfield county was formed from "all that part of the said County of Henrico lying on the south side of James River" (*App.*, chap. iv). It has been impossible to ascer-

tain definitely whether it is dormant or became extinct in 1850, when "so much of the southwestern corner of the county of Chesterfield as lies next to and adjoining the county of Powhatan and west of Skinquarter creek . . ." was annexed to Powhatan county (A., 1849/50, 26), as set forth below:

King William Parish,* formed in Henrico county in 1700 (H. iv, 201), or a portion of it, was in the following counties for the periods indicated: Henrico (1700-1749); Goochland (1728-1749); Cumberland (1749-1777); Powhatan (1777-1934).

There has never been an annexation to Chesterfield county of a portion of Goochland, Cumberland or Powhatan; and, therefore, no part of King William parish could have gotten into Chesterfield from one of these counties; nor is there evidence of a parish of this name in Chesterfield, other than as a portion of the parish formed in 1700.

On the other hand, Chesterfield was formed in 1749 from "all that Part of the said County of Henrico lying on the south side of James River" (*App.*, chap. iv), and this, as we see, is the only way by which any portion of King William parish could have gotten into Chesterfield county. Therefore, if any portion of King William parish fell into Chesterfield, when that county was formed from Henrico in 1749, such portion must have remained to the east of the Henrico-Goochland line resulting from the division of Henrico county in 1728 (*App.*, chap. ii) and, furthermore, that portion must have been "on the south side of James River".

The evidence submitted below, wholly from primary sources, shows† (A) that a portion of King William parish did remain to the east of the Henrico-Goochland line resulting from the division of Henrico county in 1728 and, also, that such portion was "on

* Formed "for the encouragement of the said refugees [French protestants] to settle and remaine together as near as may be to the said Manakin towne".

† *Conclusions* (A), (C) and (D), and the whole structure of this note (10), are predicated upon the assumption that the "King William parish" referred to is in each instance the actual parish (or a portion thereof), and not a "revenue district" of the same name. As an evidence of the confusion resulting from similar interpretations, the following citations from the Henrico O. B., 1737-1746, record orders of that court for the collection of tithes in "Bristol parish", in spite of the fact that Bristol parish had become extinct in Henrico county in 1735 (H. iv, 443),—p. 45 (1738); 106 (1740); 141 (1741); 185 (1742); 224 (1743); 260 (1744).

However, even though these references were to an actual "revenue district" at the dates indicated, that fact would seem to indicate that the ecclesiastical entity of that name had formerly embraced the area of Henrico and Chesterfield counties referred to.

the south side of James River"; (B) that such portion fell into Chesterfield, when that county was formed in 1749; (C) that a portion of King William parish in Chesterfield county was expressly designated and judicially recognized as such, and (D) that it is impossible, without a prolonged investigation, to ascertain whether KING WILLIAM (Ches.) became extinct in 1850, when a portion of the southwestern corner of Chesterfield was annexed to Powhatan county (A., 1849-50, 26); and that, if such was not the case, KING WILLIAM (Ches.) is now dormant.

(A)—(i) The Henrico-Goochland line resulting from the division of Henrico county became effective May 1, 1728; and so far as the area under consideration is concerned, it is defined as "a Line . . . on the South side James River beginning at the Lower Manachin Creek* from thence along a line of marked Trees in a direct course to the mouth of Skinquarter Creek on Appamattox River . . ." (*App.*, chap. ii).

(ii) The deed of Stephen Monford, of St. James parish, Goochland county, dated May 30, 1728, and recorded in Henrico on June 3, 1728 (*Deeds, Wills, 1725-1737, 183*)^r, conveys to Bartholome Dupuy, "of the said County and parrish of King William", 260 acres, "lying in the parish of King William . . . it being part of the Kings Donation to the french Refuge".

This deed was recorded just one month after the formation of Goochland county and the fact that the deed for this land, "lying in the parrish of King William", was recorded in Henrico is evidence that there remained in Henrico a portion of King William parish.

(iii) The deed of John Peter Peru, "of the parish of King William in the County of Henrico", dated Feb. 14, 1732, and recorded in Henrico on the first Monday in April, 1733 (*Deeds, Wills, 1725-1737, 386*)^r, conveys to Jacob Trabue, "of the parish aforesaid" 133 acres "Scituate Lying and being in the County of Henrico".

(iv) The deed of Peter Sallé, of Goochland county, dated June 29, 1734, and recorded in Henrico on the first Monday in July, 1734 (*Deeds, Wills, 1725-1737, 444*)^r, conveys to James Martin the Infant son of James Martin "of the parish of King William in the County of Hen-

* It is at present (1934) known as Bernard's creek, and divides Chesterfield and Powhatan at the northern end of the line.

rico", 133 acres "lying and being on the Southside James River . . . first† five thousand acres of Land French Refugees and was granted Sallé by pattent bearing Date the march in the year of our Lord one dred and fifteen [*Patents, 10, 253*]^r. Capt. Abraham Sallé devised unto . . . as by the last Will and Testament Abraham Sallé recorded in the office [*Deeds, Wills, 1725-1737, 292*]^r may

(v) The deed of William Hatchet "and wife, late Widdow of Thomas Neal Surviving Daughter of Abraham Rish of King William in the County of Henrico" dated Dec. 1, 1734, and recorded in Henrico on the first Monday in January, 1735 (*Deeds, Wills, 1725-1737, 456*)^r, conveys "of the said parish and County of Henrico" to Abraham Remmy, the Father of the said William Hatchet, as by pattent Bearing date ye 1st of March, one Thousand Seven hundred and thirty four [*Patents 10, 284, 286*]^r. Scituate lying on the South Side of James River in Henrico County, containing the first† five Thousand Acres of Land granted to the french Refugees . . . "

(vi) The will of James Martin, "the late of King William parish", dated and recorded in Henrico May 3, 1736 (*Deeds, Wills, 1737, 541*)^r, bequeathes to his son Lyon the North Side James River of King William and Matthew, "the plantation be equally divided . . . William Martin part of the Land Joyning Matthew's Widow Duprees".

‡ The title to this tract may have been impaired by the fact that there was no bequest of any kind to Peter Sallé in the will of his father, "at present in King William Parish in the County of Henrico" dated Feb. 3, 1731/0, and recorded in Henrico on the first Monday in July, 1730; nor does there appear to have been a conveyance to Peter Sallé. However, the description of the tract in the will is the identification of it as a part of the grant of the present argument.

† A.—(xii), below, refers to the "last five Thousand Acres of Land granted to the french Refugees apart. At least, there were two.

e of James River"; (B) that such portion fell into when that county was formed in 1749; (C) that a por- William parish in Chesterfield county was expressly d judicially recognized as such, and (D) that it is without a prolonged investigation, to ascertain whether IAM (Ches.) became extinct in 1850, when a portion western corner of Chesterfield was annexed to Pow- (A., 1849-50, 26); and that, if such was not the case, IAM (Ches.) is now dormant.

e Henrico-Goochland line resulting from the division Henrico county became effective May 1, 1728; and far as the area under consideration is concerned, it is nined as "a Line . . . on the South side James River ining at the Lower Manachin Creek* from thence ng a line of marked Trees in a direct course to the uth of Skinquarter Creek on Appamattox River . . . " pp., chap. ii).

e deed of Stephen Monford, of St. James parish, chland county, dated May 30, 1728, and recorded in enrico on June 3, 1728 (*Deeds, Wills, 1725-1737, 183*)†, veys to Bartholome Dupuy, "of the said County and rish of King William", 260 acres, "lying in the par- a of King William . . . it being part of the Kings nation to the french Refuge".

was recorded just one month after the formation of unty and the fact that the deed for this land, "lying of King William", was recorded in Henrico is evi- ere remained in Henrico a portion of King William

deed of John Peter Peru, "of the parish of King liam in the County of Henrico", dated Feb. 14, 1732, recorded in Henrico on the first Monday in April, 1733 (*Deeds, Wills, 1725-1737, 386*)†, conveys to Jacob ue, "of the parish aforesaid" 133 acres "Scituate ng and being in the County of Henrico".

e deed of Peter Sallé, of Goochland county, dated e 29, 1734, and recorded in Henrico on the first Mon- in July, 1734 (*Deeds, Wills, 1725-1737, 444*)†, con- s to James Martin the Infant son of James Martin the parish of King William in the County of Hen-

(1934) known as Bernard's creek, and divides Ches- tan at the northern end of the line.

rico", 133 acres "lying and being in Henrico County on the Southside James River . . . it being part of the first† five thousand acres of Land Surveyed for the French Refugees and was granted unto Capt. Abraham Sallé by pattent bearing Date the twenty Third Day of march in the year of our Lord one thousand Seven hun- dred and fifteen [*Patents, 10, 253*]† and was by the said Capt. Abraham Sallé devised unto the said Peter Sallé . . . as by the last Will and Testament of the said Capt. Abraham Sallé recorded in the office of Henrico County [*Deeds, Wills, 1725-1737, 292*]† may more fully appear"‡

(v) The deed of William Hatchet "and Margaret Anne his wife, late Widdow of Thomas Neal, deceased and the only Surviving Daughter of Abraham Remmy late of the parish of King William in the County of Henrico Deceased", dated Dec. 1, 1734, and recorded in Henrico Dec. 2, 1734 (*Deeds, Wills, 1725-1737, 456*)†, conveys to Jacob Trabue "of the said parish and County", 85 acres "granted to Abraham Remmy, the Father of the said Margaret Anne as by pattent Bearing date ye Twenty-Third Day of March, one Thousand Seven hundred and fifteen [*Pat- ents 10, 284, 286*]† Scituate lying and being on the South Side of James River in Henrico County . . . it being part of the first† five Thousand Acres Survey'd for the French Refugees . . . "

(vi) The will of James Martin, "the Late of Henrico County of King William parish", dated Mar. 15, 1735/6, and recorded in Henrico May 3, 1736 (*Deeds, Wills, 1725-1737, 541*)†, bequeathes to his son, John, "the Plantation Lyon the North Side James River", and to his sons, Wil- liam and Matthew, "the plantation where I now live to be equally divided . . . William Martin to have the lower part of the Land Joyning Mathew Hopson and the Widow Duprees".

‡ The title to this tract may have been impaired by the fact that there was no bequest of any kind to Peter Sallé in the will of Abraham Sallé, "at present in King William Parish in the County of Henrico", dated Feb. 3, 1731/0, and recorded in Henrico on the first Monday in March, 1730; nor does there appear to have been a conveyance of this tract to Peter Sallé. However, the description of the land here conveyed and the identification of it as a part of the grant cited serves the purpose of the present argument.

† A.—(xii), below, refers to the "last five Thousand Acres . . . ". It has been impossible to ascertain how many of these surveys were set apart. At least, there were two.

The last description shows the proximity of "the plantation where I now live" to the Huguenot area and confirms the description of himself as "the Late of Henrico County of King William parish", while James Martin (senior?) in (iv), above, is described as "of the parish of King William in the County of Henrico".

(vii) The deed of frances Souille, "of the parish of King William and County of Goochland", dated May 2, 1737, and recorded in Henrico on the first Monday in May 1737 (*Deeds, Wills, 1725-1737, 614*)^{*} conveys to Edward Bryars, "of the said parish and County of Henrico", 133 acres "Scituate lying and being in the parish of King William and County of Henrico on the South Side of James River and bounded as by pattent granted to frances Lorange, dated the twentieth day of february MD-CCXIX [*Patents, 10, 458*]¹ (from whom the said frances Souille doth inherit the Land)".

(viii) The Henrico county record (*O. B., 1737-1746, 1*)^{*} shows that the October court, 1737, "ordered that the Church-Wardens of King William parish do bind out John Mumford an Orphan Boy according to Law".

(ix) The Henrico county record (*O. B., 1737-1746, 254*)^{*} shows that the April court, 1744, "ordered that the Church-Wardens of King William parish do bind out Frances Adie an orphant Girl according to Law".

(x) The Henrico county record (*O. B., 1737-1746, 328*)^{*} shows that the September court, 1745, "ordered that the Church-Wardens of King William Parish do bind out Archer & Betty Mulattoes; Orphans according to Law".

(xi) The will of John Fore, "of King William Parish and County of Henrico", dated Nov. 16, 1747, and recorded in Henrico the first Monday in July, 1748 (*Deeds, etc., 1748-1750, 5*)^{*}, bequeathes to—

Mary (his wife), "the use of the Plantation I now live on during her Wodowhood";

Elizabeth (a daughter), £40/—/—, a bed, a cow and a calf;

Mary (a daughter), a Negro, a bed, a cow and a calf;

John (a son), "all my Lands I am posest of and the Land I agreed with Capt. John Nash for . . ."

(xii) The deed of John Nash, "of the Parish of Rawleigh and the County of Amelia", dated Sep. 1, 1748, and recorded in Henrico the first Monday in January, 1748 (*Deeds, etc., 1748-1750, 62-63*)^{*}, conveys to John Morricett "of

the County of Henrico, Being in the County of James River, and Acres, and Granted to the said John Nash, bearing Date the first day of July, 1748, and Seven hundred and thirty three, purchased by the said John Nash, younger as [iv], of the County of Henrico, [iv], thereto being Henrico

Conclusion (A): the continuing parish did remain to the east, coming from the division of Henrico parish was 'on the south side' of the fact that of the eleven documents

All were recorded in Henrico and the formation of Goochland

6 (iii, iv, v, vi, vii, xi) describe the parish as being in Henrico county in Henrico conveyances of (King William parish) grants;

3 (viii, ix, x) support the idea that King William parish remained to the west line by orders of the Henrico county parish, which was necessarily in the jurisdiction of that court;

4 (iv, v, vii, xii) describe the parish as being on the south side of James river; and the fact that in grants of Refugee (King William parish) the metes and bounds recorded in the respective tracts as being on the south

(B) Chesterfield county was formed from Part of the said County of Henrico, on the south side of James River (King William parish) no portion of King William parish was on the south side of James river, that is, that no portion of King William parish was in Henrico county after the year 1748, the result that KING WILLIAM PARISH was that year and KING WILLIAM

* See note under (iv), above.

description shows the proximity of "the plantation where to the Huguenot area and confirms the description of the Late of Henrico County of King William parish", Martin (senior?) in (iv), above, is described as "of King William in the County of Henrico".

The deed of Frances Souille, "of the parish of King William and County of Goochland", dated May 2, 1737, and recorded in Henrico on the first Monday in May 1737 (*Deeds, Wills, 1725-1737, 614*)^v conveys to Edward Bryson, "of the said parish and County of Henrico", 133 acres "Scituate lying and being in the parish of King William and County of Henrico on the South Side of James River and bounded as by patent granted to Frances Lorange, dated the twentieth day of February MDCCXIX [*Patents, 10, 458*]" (from whom the said Frances Souille doth inherit the Land)".

The Henrico county record (*O. B., 1737-1746, 1*)^v shows that at the October court, 1737, "ordered that the Churchwardens of King William parish do bind out John Mumford an Orphan Boy according to Law".

The Henrico county record (*O. B., 1737-1746, 254*)^v shows that the April court, 1744, "ordered that the Church-Wardens of King William parish do bind out Frances Adie an orphan Girl according to Law".

The Henrico county record (*O. B., 1737-1746, 328*)^v shows that the September court, 1745, "ordered that the Church-Wardens of King William Parish do bind out Esther & Betty Mulattoes; Orphans according to Law".

The will of John Fore, "of King William Parish and County of Henrico", dated Nov. 16, 1747, and recorded in Henrico the first Monday in July, 1748 (*Deeds, etc., 1748-1750, 5*)^v, bequeathes to—

Mary (his wife), "the use of the Plantation I now live on during her Wodowhood"; Elizabeth (a daughter), £40/—/—, a bed, a cow and a calf;

Mary (a daughter), a Negro, a bed, a cow and a calf; John (a son), "all my Lands I am possest of and the Land I agreed with Capt. John Nash for . . ."

The deed of John Nash, "of the Parish of Rawleigh and County of Amelia", dated Sep. 1, 1748, and recorded in Henrico the first Monday in January, 1748 (*Deeds, 1748-1750, 62-63*)^v, conveys to John Morricett "of

the County of Henrico", 296 acres "Scituate lying and Being in the County of Henrico and on the Southside of James River . . . it being part of the last* five Thousand Acres of Land Surveyed for the French Refugees and Granted to Daniel Fore, Dec'd. the Elder by Patent bearing Date the twenty third day of March one thousand and Seven hundred and fifteen [*Patents 10, 285*]¹ and purchased by the said John Nash of Daniel Fore the younger as [by] a Deed Recorded in the County Court of Henrico [*Deeds, Wills, 1725-1737, 499*]^v/Recourse thereto being Had/may appear".

Conclusion (A): the conclusion that "a portion of King William parish did remain to the east of the Henrico-Goochland line resulting from the division of Henrico county in 1728 and that such portion was 'on the south side of James river'" is based upon the fact that of the eleven documents, of which abstracts appear above—

All were recorded in Henrico, *after* the division of that county and the formation of Goochland county;

6 (iii, iv, v, vi, vii, xi) describe a portion of King William parish as being in Henrico county; and 4 (ii, iv, v, xii) record in Henrico conveyances of portions of Refugee (King William parish) grants;

3 (viii, ix, x) support the interpretation that a portion of King William parish remained to the east of the Henrico-Goochland line by orders of the Henrico court to the churchwardens of the parish, which was necessarily to some extent within the jurisdiction of that court;

4 (iv, v, vii, xii) describe the land conveyed as being on the south side of James river; and these same 4 also cite titles originating in grants of Refugee (King William parish) lands, while the metes and bounds recorded in the patents cited describe the respective tracts as being on the south side of James river.

(B) Chesterfield county was formed in 1749 from "all that Part of the said County of Henrico lying on the south side of James River (*App.*, chap. iv); and, inasmuch as no portion of King William parish was ever on the north side of James river, therefore no portion of it remained in Henrico county after the division of 1749, with the result that KING WILLIAM (Henr.) became extinct in that year and KING WILLIAM (Ches.) was formed.

* See note under (iv), above.

- (C)—(i) The Chesterfield county record (*O. B.*, 1749-1754, 140)² shows that the September court, 1751, "Ordered that the Church-Wardens of King William Parish do bind out Solomon and Joshua Burney, sons of Anthony Burney, according to Law".
- (ii) The Chesterfield county record (*O. B.*, 1749-1754, 308)², shows that the February court, 1753, "Ordered that the Church-Wardens of King William Parish do bind out Lawrence Bryers, according to Law".
- (iii) The deed of John Whitehead and Mary his wife, "who is the Daughter & Heir of John Dupree", dated May 3, 1755, and recorded in Chesterfield on a date not given (*D. B.*, 2, 283)², conveys to Richard Harris two hundred acres "lying at the lower end of the Manakin Town in Chesterfield County".
- (iv) The will of Mary Fore, "of Chesterfield County of King W^m Parish", dated June 18, 1771, and recorded in Chesterfield on a date not given (*W. B.*, 2, 96)², bequeathes to John (son), "... & all stock consisting of Horses, Cattle, Hogs & Sheep", but if there be no heirs, "to return to his sisters, Mary Scruggs & Elizabeth Cox to be equally divided ...";
- Elizabeth Cox (dau.), "six pounds current money of Virginia";
- Mary Scruggs (dau.), "Twenty shillings sterling".

Reference to A—(xi), above, shows that the will of John Fore (1747), "of King William Parish and County of Henrico", bequeathes to—

Mary (wife), "the use of the Plantation I now live on during her w dowhood";

John (son), "all the Lands I am now posest of ..."; and also makes specific bequests to his daughters, Mary and Elizabeth.

As was natural, the widow left all the stock to her son, John, who became the sole owner of the plantation upon her death. Elizabeth (dau.) had in 1766 married John Cox (*Douglas Register*, 62), but it has been impossible to find a record of the marriage of Mary (dau.), here denominated "Mary Scruggs". Nevertheless, it is seen that the three other parties, identified with "King William Parish and County of Henrico" in 1747, are here identified with that parish in Chesterfield county after the division of 1749.

- (v) A petition (No. 1 of this date)², presented to the General Assembly on Nov. 12, 1789, with 29 signatures, "Sun-

deposited in the
county records
assembly
Rents of land
parish

Of the
for persons
County

(vi) A petition
eral Assembly
Subscribers
William
prays
posal of
so it may
pious intention

Of the
for persons
County
Grant
Lieut

(vii) A petition
24, 1795
of King William
and Chesterfield
using your petition
the money
rates and county

The petition states that the
by fire and our parish house
build another, and we also
may soon have it actual place
house of worship and to have
(See viii below, for appropria
Ches. books, 1789, unavailable

Chesterfield county record (*O. B.*, 1749-1754, 140)* shows that the September court, 1751, "Ordered that the Church-Wardens of King William Parish do bind out Simon and Joshua Burney, sons of Anthony Burney, according to Law".

Chesterfield county record (*O. B.*, 1749-1754, 308)*, shows that the February court, 1753, "Ordered that the Church-Wardens of King William Parish do bind out Lawrence Bryers, according to Law".

Deed of John Whitehead and Mary his wife, "who the Daughter & Heir of John Dupree", dated May 3, 1755, and recorded in Chesterfield on a date not given (*B.*, 2, 283)*, conveys to Richard Harris two hundred acres "lying at the lower end of the Manakin Town in Chesterfield County".

Will of Mary Fore, "of Chesterfield County of King William Parish", dated June 18, 1771, and recorded in Chesterfield on a date not given (*W. B.*, 2, 96)*, bequeathes to John (son), " . . . & all stock consisting of Horses, Cattle, Hogs & Sheep", but if there be no heirs, "to return to his sisters, Mary Scruggs & Elizabeth Cox to be equally divided . . .";

Elizabeth Cox (dau.), "six pounds current money of Virginia";

Mary Scruggs (dau.), "Twenty shillings sterling".

A—(vi), above, shows that the will of John Fore of King William Parish and County of Henrico", be-

que, "the use of the Plantation I now live on during my life";

and, "all the Lands I am now possessed of . . ."; and specific bequests to his daughters, Mary and Elizabeth.

Finally, the widow left all the stock to her son, John, the sole owner of the plantation upon her death. Elizabeth died in 1766 married John Cox (*Douglas Register*, 62), impossible to find a record of the marriage of Mary and John. The only party identified with "King William Parish Henrico" in 1747, are here identified with that parish in Chesterfield county after the division of 1749.

Petition (No. 1 of this date)*, presented to the General Assembly on Nov. 12, 1789, with 29 signatures, "Sun-

dry of the Inhabitants of King William Parish, in the counties of Powhatan and Chesterfield", *prays* the Assembly "To Convert the said Glebe Lands (with the Rents on hand or due thereon) to the use of the said parish . . .".

Of the 29 petitioners, the following were assessed for personal taxes* for the year 1789*, as indicated—

Powhatan	22
Unable to find on books.....	7
	—
	29

- (vi) A petition (No. 2 of this date)*, presented to the General Assembly on Nov. 12, 1789, with 21 signatures, "The Subscribers who are freeholders in the parish of King William in the counties of Powhatan and Chesterfield", *prays* "that the Legislature may not interfere in the disposal of the property in King William Parish and that so it may remain as heretofore applied According to the pious intention of the Original Donor.†

Of the 21 petitioners, the following were assessed for personal taxes* for the year 1789*, as indicated—

Powhatan	17
Unable to find on books.....	3
Illegible	1
	—
	21

- (vii) A petition*, presented to the General Assembly on Nov. 24, 1795, with 50 signatures, "a number of parishioners of King William parish, in the counties of Powhatan and Chesterfield", *prays* "that you pass an act, authorizing your petitioners to sell the said Glebe; and apply the money arising from the sale thereof to the poor rates and county levies . . .".

† The petition states that "Some years ago, our Church was destroyed by fire and our parish being poor and very small we were not able to build another; and we therefore rented the Glebe and we trust that we may soon have it in our power from the profits thereof to build another House of Worship and to pay some small stipend to a pious Minister". (See viii, below, for approximate date of fire).

* Ches. books, 1789, unavailable.

Of the 50 petitioners, the following were assessed for personal taxes* for the year 1795, in the counties respectively indicated—

Chesterfield	8†
Powhatan	36
Unable to find on books of either county	5
Assessed in both counties.....	1‡
	—
	50

- (viii) A petition, presented to the General Assembly on Dec. 16, 1813, with 26 signatures, "Freeholders, householders and inhabitants of the Parish of King William, lying on James River, partly in the County of Chesterfield, and partly in the County of Powhatan", states "That a great majority of your petitioners are descendants from the French Refugees, or Huguenots, of the Episcopal Church . . . That a Church was erected on the said Glebe . . . [that] about the time of the revolutionary war, the said Church was destroyed by fire" and *prays* the Assembly to enact a Law, appointing Commissioners to make a public sale of the said Glebe . . . with full power to straighten and permanently improve the main-road or highway through the said parish of King William".

Of the 26 petitioners, the following were assessed for personal taxes* for the year 1813, in the counties respectively indicated—

Chesterfield	7*
Powhatan	13
Unable to find on books of either county	4*
Assessed in both counties.....	2*
	—
	26

- (ix) A petition, presented to the General Assembly on Nov. 2, 1814, with 24 signatures, "sundry persons freeholders and inhabitants of King William Parish in the Counties

† Thompson Noel, Wm. Cheatham (assessed in both counties), Wm. Brookes, John Smith, John Fore, Wm. Trabue, James Swards(?), Danl. Trabue, Danl. Morrisett.

* Wm. Trabue, David Street, Mattw. Burfoot, Daniel Trabue, Allen McRae (not listed, 1813; listed Ches., 1812, 1815), John Lookadoe, William Martin, Jordan Martin, Harry Heath (assessed in both counties), Wm. Archer (assessed in both counties), Branch Archer (not listed 1813; listed Ches., 1812, 1814).

of King William Parish, lying on James River, partly in the County of Chesterfield, and partly in the County of Powhatan, pray the Assembly to enact a Law, appointing Commissioners to make a public sale of the said Glebe . . . with full power to straighten and permanently improve the main-road or highway through the said parish of King William".

Of the 24 petitioners, the following were assessed for personal taxes* for the year 1814, in the counties respectively indicated—

Chesterfield	2
Powhatan	22
Unable to find on books of either county	—

(G) the conclusion that the Chesterfield county was exposed as such" is based up on the fact which abstracts appear above that the same emanated from Chesterfield county.

(i, ii) are orders of the Chesterfield county of King William parish, and to some extent within the jurisdiction of the county of Chesterfield; (iii) describes the property conveyed to the Manakin Town [King William County];

(iv) shows that the Fore family of King William (Henr.), immediately before the year 1777, was of Chesterfield County of King William Parish.

(v, vi, vii, viii, ix) are from petitioners who describe that parish as being in both Chesterfield and Powhatan counties;

(x) connect the petitioners with the parish of King William; (viii) describes King William parish as being in the County of Chesterfield, partly in the County of Powhatan.

(i) Powhatan county was formed in 1777, the new county to consist of Southam and part of the parish of King William (ix, 322).

John Royster, Patrick H. Harris, Isaac Sams, Woody, Robt. Sanders, Philip Turpin.

Of the 50 petitioners, the following were assessed for personal taxes for the year 1795, in the counties respectively indicated—

Chesterfield	8†
Powhatan	36
Unable to find on books of either county	5
Assessed in both counties	1†
	—
	50

petition, presented to the General Assembly on Dec. 1813, with 26 signatures, "Freeholders, householders and inhabitants of the Parish of King William, lying James River, partly in the County of Chesterfield, and partly in the County of Powhatan", states "That a great majority of your petitioners are descendants from the French Refugees, or Huguenots, of the Episcopal Church . . . That a Church was erected on the said Glebe . . . [at] about the time of the revolutionary war, the said church was destroyed by fire" and *prays* the Assembly to enact a Law, appointing Commissioners to make a public use of the said Glebe . . . with full power to straighten and permanently improve the main-road or highway through the said parish of King William".

Of the 26 petitioners, the following were assessed for personal taxes for the year 1813, in the counties respectively indicated—

Chesterfield	7*
Powhatan	13
Unable to find on books of either county	4*
Assessed in both counties	2*
	—
	26

petition, presented to the General Assembly on Nov. 1814, with 24 signatures, "sundry persons freeholders and inhabitants of King William Parish in the Counties

pel, Wm. Cheatham (assessed in both counties), Wm. Smith, John Fore, Wm. Trabue, James Swards(?), and Morrisett.

David Street, Mattw. Burfoot, Daniel Trabue, Allen, 1813; listed Ches., 1812, 1815), John Lookadoe, William Martin, Harry Heath (assessed in both counties), assessed in both counties), Branch Archer (not listed, 1812, 1814).

of Powhatan and Chesterfield . . . some of your petitioners who own a part of the land granted to the French Emigrants", *prays* for "a total repeal" of the act of the last session authorising the sale of the glebe of King William parish.

Of the 24 petitioners, the following were assessed for personal taxes for the year 1814, in the counties respectively indicated—

Chesterfield	7†
Powhatan	16
Unable to find on books of either county	1
	—
	24

Conclusion (C): the conclusion that "a portion of King William parish in Chesterfield county was expressly described and judicially recognized as such" is based up on the fact that of the nine documents, of which abstracts appear above—

1. All emanated from Chesterfield, or Chesterfield - Powhatan, sources.

2 (i, ii) are orders of the Chesterfield court to the churchwardens of King William parish, which was necessarily to some extent within the jurisdiction of that court;

1 (iii) describes the property conveyed as "lying at the lower end of the Manakin Town [King William parish] in Chesterfield County";

1 (iv) shows that the Fore family, identified with KING WILLIAM (Henr.), immediately before the division of 1749, was "of Chesterfield County of King W^m Parish" after that division.

5 (v, vi, vii, viii, ix) are from petitioners on the ground, who describe that parish as being in both Chesterfield and Powhatan counties;

2 (viii, ix) connect the petitioners with the French Refugees.

1 (viii) describes King William parish as being "partly in the County of Chesterfield, partly in the County of Powhatan".

(D)—(i) Powhatan county was formed from Cumberland county in 1777, the new county to consist of "the whole parish of Southam and part of the parish of King William" (H. ix, 322).

† John Royster, Patrick H. Harris, Isaac Sallé, Robert Harris, Samuel Woodydy, Robt. Sanders, Philip Turpin.

...aring C—(viii), above, and D—(ii), below, with the
e quoted, it is evident that “and part of the parish of
” does not refer to a *portion* of the parish in Cum-
y, but that it does mean “part” (all) of King William
umberland county, in contradistinction to the remainder
which was at that date in Chesterfield county.

...n Act* authorising the sale of the Glebe of King Wil-
n Parish in the Counties of Chesterfield and Powha-
and for other purposes therein mentioned” (A., 1813
113), says (p. 113) “the glebe belonging to King
William parish, lying partly in the county of Chester-
field, and partly in the county of Powhatan”; and dis-
ts (p. 115) that the security required be “payable to
sitting justices of the court, either of Chesterfield or
whatan county”. However, this statute was repealed
the following session (A., 1814/5, 131) as a result of
ix, above.

...ere has been no division of Chesterfield county, other
this is the only way by which KING WILLIAM
ve fallen wholly, or in part, in another civil juris-

...been made to ascertain whether all Chesterfield tracts
derived title from Refugee grants, disappeared from
d books (and appeared on the Powhatan land books),
on to Powhatan county in 1850 of that portion of
to the west of Skinquarter creek (A., 1849/50, 26).
could be maintained, it would establish the fact that
(Ches.) became extinct in 1850 and that since 1850
ish has been wholly in Powhatan county. If the
KING WILLIAM (Ches.) has been dormant cer-
nd probably for some years prior to that date.

...it is impossible, without a prolonged investigation,
r KING WILLIAM (Ches.) became extinct in 1850,
the southwestern corner of Chesterfield was annexed
y (A., 1849/50, 26); and, if such was not the case,
(Ches.) is now dormant, while the limiting dates
t (1749-18??) are the nearest approach to its actual

...AM (Cumb.) was formed from KING WILLIAM
9, when Cumberland county was formed from “all
e said County of Goochland lying on the south side
r” (App., chap. iii); and it became extinct in 1777,
resulted from C—viii, above.

when Powhatan county was formed from that portion of Cumber-
land “including the whole parish of Southam and part of the parish
of King William”* (H. ix, 322-323), and there was then formed
KING WILLIAM (Pwtn.), which “unit” is still extant.

12—SOUTHAM (Cumb.) was formed from SOUTHAM (Ghld.) in
1749, when Cumberland county was formed from “all that part of
the said county of Goochland lying on the south side of James
River” (App., chap. iii); and it became extinct in 1777, when
Powhatan county was formed from that portion of Cumberland
“including the whole parish of Southam and part of the parish of
King William”† (H. ix, 322-323), and there was then formed
SOUTHAM (Pwtn.), which “unit” is still extant.

13—TILLOTSON (Albr.) was formed from ST. ANNE’S (Albr.) in
1757 (H. vii, 141); and it became extinct in 1761, when that portion
of Albemarle became Buckingham county and there was then formed
TILLOTSON (Bkhn.), which “unit” is still extant (H. vii, 419).

14—

(i) AMHERST (Amhr.) was formed from ST. ANNE’S
(Albr.) in 1761 (H. vii, 421); and it became extinct in 1808, when
Nelson county was formed from Amherst county (S. iii, 378). In
1779, it was divided and LEXINGTON (Amhr.) was formed from
the upper (or western) portion, while the remaining (lower or
eastern) portion retained the name, AMHERST (Amhr.) (H.
ix, 567).

(ii) In 1808, Nelson county was formed from Amherst county
(S. iii, 378). This was twenty-three years after the Separation of
Church and State, at a time when the *Acts* forming counties made
no provision for the formation of parishes by the same act, or
otherwise,‡ because that function was then within the jurisdiction
of the Diocese of Virginia.

(iii) H. ix, 567, forming LEXINGTON (Amhr.) says “. . .
on the lower side of the said line shall . . . retain the name of
Amherst [parish] and . . . on the upper side of the said line shall
. . . be called and known by the name of Lexington [parish]. On
the other hand, S. iii, 378, dividing Amherst county and forming
Nelson county, says, “the county of Amherst . . . is hereby divided
by the parish line, the upper county [Lexington parish] to retain
the name of Amherst”. Therefore, the “lower county” (Amherst

* The repeal of 1814/15 resulted from C—ix, above.

† See note 10, D—(i).

‡ For an exception, see the formation of HARDY (Hardy) by the
General Assembly in 1790 (H. xiii, 190), five years after the Separation.

parish in Amherst county) became Amherst parish in Nelson county, an interpretation which is sustained by *Meade*, ii, 59; and, as a result of this enactment of 1808, AMHERST (Amhr.) of 1761 became extinct.

(iv) In spite of the mention of Nelson parish in Nelson county as early as 1830 in *Hawks*, Appendix, 248,† and almost continuously in the *Journal* (parochial reports) of the Diocese of Virginia, 1836-1892; of Southern Virginia, 1893-1919; and of Southwestern Virginia, 1919-34; it has been impossible to find any action, either legislative or canonical, forming a Nelson parish in Nelson county, or elsewhere. Hence, it is concluded that it was generally (but erroneously) supposed that the then-recent custom continued and that in 1808 there was formed a "county and parish" of Nelson; and, as a result, it has become accepted and fixed by custom that such was the case.

(v) Inasmuch as AMHERST (Amhr.) of 1761 became extinct in 1808, it was but natural that the name should be revived in Amherst county—and the more so that it should have been given to a portion of the original area of 1761—which was done when the present AMHERST (Amhr.) was formed from LEXINGTON (Amhr.) in 1876 (Va., 1876, 76).

- 15—FLUVANNA (Fluv.) was formed from ST. ANNE'S (Albr.) and FREDERICKSVILLE (Albr.) in 1777 (H. ix, 326); and it became extinct in 1849, when the area of Fluvanna county was named Rivanna parish, thereby resulting in RIVANNA (Fluv.). Brdn., 114, says,

"Fluvanna Parish . . . covered the whole county of Fluvanna.

This parish was possibly never organized.

"In 1849 Rivanna Parish was established including the whole of Fluvanna county . . . (The Committee on New Parishes of 1849 thought erroneously that Fluvanna county was in St. James-Northam Parish").

- 16—GENITO (Pwtn.) was formed from SOUTHAM (Pwtn.) in 1843 (Va., 1843, 21), as set forth below:

Va., 1843, 7, says "Rev. Mr. Berkeley presented an application from the wardens and vestry of Grace church, Genito parish, Powhatan, for a division of St. James' parish and for the admission of the former into this Diocese,—Referred". (Was this in substance an assumption of the name, "Genito", and a request that the Convention confirm it?)

† Also mentioned *ibid.*, 259 (1831); 273 (1832); 289 (1833); 309 (1834); 328 (1835)

Ibid., 21 shows that the Committee of the Diocese approved the application of "Grace Church, Powhatan"; but the report does not give the date on which resulted from the division.

Ibid., 1 and 46, show that Rev. Parker, rector of "Grace Church, St. James' parish, Powhatan", having been the "Mr. Berkeley", who presented this report (p. 46) says—

"Grace church in St. James' parish, Powhatan, consecrated since the last report from the Diocese (1,450 dollars) has been paid or secured by a sum less than 100 dollars".

Thus, it is seen that the petition was from the parish, Powhatan" (p. 7), while the report of the "Grace church in St. James' parish" (Powhatan) has no other place, at that time or prior, has been the parish. On the other hand, immediately after the GENITO (Pwtn.) appears in the *Journal* of the Diocese, Mr. Berkeley as rector and this parish has, for a few years, continued to report practically as such until 1912.

However, there has never been either a legal or canonically a "St. James' Parish", or "St. James' Parish", in Powhatan County; and this parish, the former appears in the *Journal* of 1843 (p. 183), while the latter appeared in 1839 (p. 39) and continued so to do practically until 1912. The legal name of this parish is St. James, in 1744 as a result of the division of St. James (v, 266).

It is, therefore, concluded that "Grace Church, Powhatan" was (in 1843) an erroneous name of the petitioning body and, also, that the parish that year formed from SOUTHAM (Pwtn.)

- 17—Appomattox county was formed from Buckingham, Charlotte and Campbell counties in 1843. At that time Buckingham county was wholly in the Diocese, with the result that a portion of TILLOTSON (Appo.). It has been impossible to find this "unit" of 1845 is dormant or has become extinct.

- 18—POWHATAN (Pwtn.) was formed from the Diocese in 1853 (Va., 1853, 25), as set forth below:

herst county) became Amherst parish in Nelson county, which is sustained by *Meade*, ii, 59; and, as a reenactment of 1808, AMHERST (Amhr.) of 1761 be-

ite of the mention of Nelson parish in Nelson county 1830 in *Hawks*, Appendix, 248, and almost continuously (parochial reports) of the Diocese of Virginia, of Southern Virginia, 1893-1919; and of Southwestern 19-34; it has been impossible to find any action, either canonical, forming a Nelson parish in Nelson county. Hence, it is concluded that it was generally (but supposed that the then-recent custom continued and there was formed a "county and parish" of Nelson; ult, it has become accepted and fixed by custom that case.

uch as AMHERST (Amhr.) of 1761 became extinct as but natural that the name should be revived in Am- and the more so that it should have been given to a original area of 1761—which was done when the pres- RST (Amhr.) was formed from LEXINGTON 1876 (Va., 1876, 76).

A (Fluv.) was formed from ST. ANNE'S (Albr.) RICKSVILLE (Albr.) in 1777 (H. ix, 326); and it ct in 1849, when the area of Fluvanna county was na parish, thereby resulting in RIVANNA (Fluv.).

a Parish . . . covered the whole county of Fluvanna. was possibly never organized.

Rivanna Parish was established including the whole a county . . . (The Committee on New Parishes of t erroneously that Fluvanna county was in St. James- parish").

wn.) was formed from SOUTHAM (Pwtn.) in 1843, 21), as set forth below:

7, says "Rev. Mr. Berkeley presented an application ardens and vestry of Grace church, Genito parish, or a division of St. James' parish and for the admis- former into this Diocese,—Referred". (Was this in a assumption of the name, "Genito", and a request vention confirm it?)

id *ibid.*, 259 (1831); 273 (1832); 289 (1833); 309

Ibid., 21 shows that the Committee on admission of new par- ishes approved the application of "Grace church, Genito parish, Powhatan"; but the report does not give the name of the parish which resulted from the division.

Ibid., 1 and 46, show that Rev. Parke F. Berkeley was the rec- tor of "Grace Church, St. James' parish, Powhatan"—he evidently having been the "Mr. Berkeley", who presented the petition. Fur- ther this report (p. 46) says—

"Grace church in St. James' parish has been completed and consecrated since the last report from that parish. The cost (1,450 dollars) has been paid or secured, with the exception of a sum less than 100 dollars".

Thus, it is seen that the petition was from "Grace church, Genito parish, Powhatan" (p. 7), while the report (p. 46) describes it as "Grace church in St. James' parish" (Powhatan county); but, in no other place, at that time or prior, has there been found a Genito parish. On the other hand, immediately after this action of 1843, GENITO (Pwtn.) appears in the *Journal* of 1844 (p. 52-53), with Mr. Berkeley as rector and this parish has, with the exception of a few years, continued to report practically without interruption until 1912.

However, there has never been either legislatively (H. v, 266) or canonically a "St. James' Parish", or a "St. James, Southam Parish", in Powhatan County; and this, in spite of the fact that the former appears in the *Journal* of 1842 (p. 45), 1843 (p. 7) and 1873 (p. 183), while the latter appeared in that of 1842 (pp. 37, 39) and continued so to do practically without interruption until 1912. The legal name of this parish is Southam and it was formed in 1744 as a result of the division of ST. JAMES (Ghld.) (H. v, 266).

It is, therefore, concluded that "Grace church, Genito parish, Powhatan" was (in 1843) an erroneous description upon the part of the petitioning body and, also, that GENITO (Pwtn.) was in that year formed from SOUTHAM (Pwtn.) (Va., 1843, 21).

17—Appomattox county was formed from Buckingham, Prince Ed- ward, Charlotte and Campbell counties in 1845 (A., 1844/5, 38). At that time Buckingham county was wholly within Tillotson parish, with the result that a portion of TILLOTSON (Bkhn.) became TILLOTSON (Appo.). It has been impossible to ascertain whether this "unit" of 1845 is dormant or has become extinct.

18—POWHATAN (Pwtn.) was formed from SOUTHAM (Pwtn.) in 1853 (Va., 1853, 25), as set forth below:

Va., 1853, 22, says "Rev. Mr. Fisher [presented] a petition for the division of St. James's Parish, Southam, Powhatan County".

Ibid., 25, shows that the Committee on New Parishes approved the application "for a division of St. James's Parish, Southam, Powhatan County", but the report does not give the name of the parish which resulted from this division.

Ibid., 57, shows that the Rev. Andrew Fisher was at that time the rector of "St. Luke's and Emmanuel's Churches, St. James Southam Parish", Powhatan county.

Va., 1854, 82-83, shows that the Rev. Andrew Fisher was in that year the rector of St. Luke's Church, *Powhatan parish*, Powhatan county, and also, of Emmanuel Church, *St. James, Southam parish*, Powhatan county. Thus, it is seen that immediately after the action upon the petition of 1853, POWHATAN (Pwtn.) appeared with Mr. Fisher as rector of (the present) St. Luke's Church (p. 82) and, at the same place (p. 83), the other church (the present Emmanuel) of the mother-parish appears in "St. James, Southam Parish", Powhatan county, also under the rectorship of Mr. Fisher.

However, there has never been either legislatively (H. v, 266) or canonically a "St. James Parish", or a "St. James, Southam Parish", in Powhatan county; and this, in spite of the fact that the former appears in the *Journal* of 1842 (p. 45), 1843 (p. 7) and 1873 (p. 183), while the latter appeared in that of 1842 (pp. 37, 39) and continued so to do practically without interruption until 1912. The legal name of this parish is Southam and it was formed in 1744 as a result of the division of ST. JAMES (Ghld.) (H. v, 266).

It is, therefore, concluded that "St. James's Parish, Southam, Powhatan County" was (in 1853) an erroneous description upon the part of the petitioning body and, also, that POWHATAN (Pwtn.) was in that year formed from SOUTHAM (Pwtn.) (Va., 1853, 25).

19—McILHANY (Albr.) was formed from ST. ANNE'S (Albr.) in 1925 (Va., 1925, 64); and the same source (p. 61) says—

"McIlhany Parish was set apart as a parish, but there being at present no canonical organization of the Church within the parish bounds, it was not admitted into union with the Council"; nor had it been admitted in July, 1934.

20—NEVE (Albr.) was formed from FREDERICKSVILLE (Albr.) in 1933 (Va., 1933, 39), when Neve parish, then wholly within Greene county, was enlarged by including within its area a portion of Albemarle county.

APPENDIX

*Texts of Acts of the General Assembly of
ing Parishes) Which Do Not Appear
Statutes at Large*

Thanks to the courtesy and co-operation of L. Hall, State Librarian of Virginia, the Society has the privilege of printing the designated below as (ii), (iii) and (iv). They appear in Henning's *Statutes at Large*, not printed elsewhere than in the *Bulletin* cited and ascertained. They are here copied from the *Bulletin* of the Virginia State Library, vol. 1 (January-July, 1916), for which publication credit from the Public Record Office in London.

Also, there were secured from the P. R. the texts designated as (i) and (v), which appear in *Henning*, and it is believed that they have not appeared elsewhere.

(i) An Act for dividing the Parish of Henrico, passed December 6, 1720 (title only in H. v, 266).

(ii) An Act for dividing the County of Henrico, passed May 6, 1727 (title only in H. iv, 240).

(iii) An Act for dividing the county of Henrico, passed March 23, 1748 (title only in H. vi, 212).

(iv) An Act for dividing the county of Henrico into two distinct counties, passed May 1, 1749 (title only in H. vi, 212).

(v) An Act for obliging the county of Henrico to repair the parish of St. James Northam and Southam, to repair the parish of St. Anne, a sum of money in mentioned, passed May 9, 1749 (title only in H. vi, 212).

(vi) An Act requiring the Vestry of the parish of St. Anne to build a chapel in the said Parish (title only in H. vi, 212).

The notes appended to these Acts (chapters 1-6) are references current in the Public Record Office for the respective dates of publication. See p. 35 for so

1853, 22, says "Rev. Mr. Fisher [presented] a petition for division of St. James's Parish, Southam, Powhatan County".

25, shows that the Committee on New Parishes approved application "for a division of St. James's Parish, Southam, Powhatan County", but the report does not give the name of the division which resulted from this division.

57, shows that the Rev. Andrew Fisher was at that time the rector of "St. Luke's and Emmanuel's Churches, St. James Southam Parish", Powhatan county.

1854, 82-83, shows that the Rev. Andrew Fisher was in that year rector of St. Luke's Church, Powhatan parish, Powhatan county, and also, of Emmanuel Church, St. James, Southam parish, Powhatan county. Thus, it is seen that immediately after the action on the petition of 1853, POWHATAN (Pwtn.) appeared with Fisher as rector of (the present) St. Luke's Church (p. 82) in the same place (p. 83), the other church (the present Emmanuel) of the mother-parish appears in "St. James, Southam Parish", Powhatan county, also under the rectorship of Mr. Fisher.

However, there has never been either legislatively (H. v, 266) or judicially a "St. James Parish", or a "St. James, Southam Parish", Powhatan county; and this, in spite of the fact that the name appears in the *Journal* of 1842 (p. 45), 1843 (p. 7) and 1873 (p. 39), while the latter appeared in that of 1842 (pp. 37, 39) and 1873 (p. 39) and so to do practically without interruption until 1912. The name of this parish is Southam and it was formed in 1744 by the division of ST. JAMES (Ghld.) (H. v, 266).

Therefore, concluded that "St. James's Parish, Southam, Powhatan County" was (in 1853) an erroneous description upon the part of the petitioning body and, also, that POWHATAN (Pwtn.) that year formed from SOUTHAM (Pwtn.) (Va., 1853, 22).

ANY (Albr.) was formed from ST. ANNE'S (Albr.) in 1825 (Va., 1825, 64); and the same source (p. 61) says—

Ilhany Parish was set apart as a parish, but there being no canonical organization of the Church within the bounds, it was not admitted into union with the Council"; and it been admitted in July, 1934.

(Albr.) was formed from FREDERICKSVILLE (Albr.) (Va., 1933, 39), when Neve parish, then wholly within Albemarle county, was enlarged by including within its area a portion of Albemarle county.

APPENDIX

Texts of Acts of the General Assembly of Virginia (Concerning Parishes) Which Do Not Appear in Hening's Statutes at Large

Thanks to the courtesy and co-operation of Mr. Wilmer L. Hall, State Librarian of Virginia, the Virginia Historical Society has the privilege of printing the Acts of Assembly designated below as (ii), (iii) and (iv). These texts do not appear in Hening's *Statutes at Large*, nor have they been printed elsewhere than in the *Bulletin* cited, so far as can be ascertained. They are here copied from *Virginia Counties* (*Bulletin* of the Virginia State Library, vol. 9, Nos. 1-3, January-July, 1916), for which publication copies were secured from the Public Record Office in London.

Also, there were secured from the P. R. O. for this article the texts designated as (i) and (v), which do not appear in Hening, and it is believed that they have not been printed elsewhere.

(i) An Act for dividing the Parish of Henrico, in the County of Henrico, passed December 6, 1720 (title only in H. iv, 95).

(ii) An Act for dividing the County of Henrico, passed March 6, 1727 (title only in H. iv, 240).

(iii) An Act for dividing the county of Goochland, passed March 23, 1748 (title only in H. vi, 212).

(iv) An Act for dividing the county of Henrico into two distinct counties, passed May 1, 1749 (title only in H. vi, 214).

(v) An Act for obliging the county of Goochland, and parishes of St. James Northam and Southam, to repay the county of Albemarle, and parish of St. Anne, a sum of money and tobacco therein mentioned, passed May 9, 1749 (title only in H. vi, 214).

(vi) An Act requiring the Vestry of the Parish of Henrico, to build a chapel in the said Parish (title only in H. iv, 58).

The notes appended to these Acts (chaps. i to v) carry the references current in the Public Record Office at the respective dates of publication. See p. 35 for source of (vi).

CHAP. I.

AN ACT for dividing the parish of Henrico in the County of Henrico.*

[Passed December 6, 1720.]

WHEREAS many Inconveniences attend the Upper Inhabitants of the parish of Henrico in the County of Henrico by reason of their great distance from any Church or Chapel in the said parish

BE it therefore ENACTED by the Lieu^t Gov^r Council and Burgesses of this present General Assembly And it is hereby ENACTED by the Authority of the Same That from and after the passing this Act the said Parish of Henrico be divided into Two distinct Parishes and that the division of the said Parishes on the North side of James River be from the Mouth of the Little Westham Creek and up that Creek to the main road and from thence a North Course to New Kent County, And that the division of the said Parishes on the South Side James River be from the River along the Upper line of the Land appropriated for the French Refugees & from that Line a South Course to Apamatock River.

AND BE it further ENACTED That the Lower part of the said Parish on both Sides James River shall remain and hereafter be called and known by the Name of Henrico parish And that the Upper part of the said Parish shall hereafter be called and knowne by the Name of the Parish of Saint James.

AND WHEREAS it will be necessary after the division of the Said Parish that a Vestry be Elected for the Parish of St. James.

BE it therefore ENACTED that the Freeholders and housekeepers of the said Parish do meet at Dover Mill on the Second Tuesday in January next and then and there Elect Twelve of the most able and discreet persons of their Parish to be Vestry men for their said Parish w^{ch} Vestry so to be elected having taken the Oaths appointed by Law and Subscribed to be conformable to the doctrine and discipline of the Church of England shall to all intents and purposes be deemed and taken to be Vestrymen of the said Parish.

AND WHEREAS the Titheable Persons in the Bounds of the said Parish of St James for Three years passed have paid Several Sums of Tobacco towards defraying the Charge of building Two New Churches in the Parish of Henrico.

BE it therefore ENACTED That the Vestry of the said parish of Henrico at laying their Parish Levy in the Years of Our Lord One

* C. O. 5/1387.

thousand Seven Hundred and Twenty One and for the use of the said Parish of St James Such have been paid by the said Titheable persons aforesaid towards building the said Two

Ex. J. H.

[Endorsed:]

Virginia Septimo Georgii, 1720.

An Act for dividing the Parish of Henrico in the County of Henrico by Col^t Spotswood's L^{ts} of 6th March 1721/22 8th May 1721.

Sent to Mr West 30 Nov^r 1723.

Read back 16 Jan^y 1723/4.

Read

Reported.

CHAP. II.

An Act For dividing the County of Henrico

[Passed March 6, 1727.]

WHEREAS many Inconveniences attend the County of Henrico by reason of their Great number of house and other places usually appointed

BE IT THEREFORE ENACTED by the Council and Burgesses of this present General Assembly Enacted by the Authority of the same That immediately after the First day of May next the County of Henrico be divided into two distinct Counties—And that the division be made by a Line on the North side James River from the Mouth of Tuckahoe Creek thence up the said Creek thence along a line of marked Trees Northward to Hanover County And on the South side James River from the Lower Manachin Creek from thence along a line of marked Trees in a direct course to the mouth of Skinquahone River And that that part of the County of Henrico shall for ever hereafter be called & known by the name of Hanover County And that that part of the County of Henrico shall be called & known by the name of Stafford County And that all that part of the Parish of Henrico which shall be included in and be part of the Parish of Hanover shall be included in and be part of the Parish of Hanover And that all that part of the said Parish of Saint James shall be included in and be part of the Parish of Saint James And that no Act usage or Custom to the contrary

* C. O. 5. 1388. p. 101-2.

CHAP. I.

dividing the parish of Henrico in the County of Hen-

[Passed December 6, 1720.]

many Inconveniences attend the Upper Inhabitants of Henrico in the County of Henrico by reason of their from any Church or Chapel in the said parish

fore ENACTED by the Lieu^t Gov^r Council and Bur-
represent General Assembly And it is hereby ENACTED
ity of the Same That from and after the passing this
Parish of Henrico be divided into Two distinct Par-
the division of the said Parishes on the North side
er be from the Mouth of the Little Westham Creek
reek to the main road and from thence a North Course
County, And that the division of the said Parishes on
e James River be from the River along the Upper
nd appropriated for the French Refugees & from that
Course to Apamatox River.

further ENACTED That the Lower part of the said
h Sides James River shall remain and hereafter be
yn by the Name of Henrico parish And that the Upper
d Parish shall hereafter be called and knowne by the
parish of Saint James.

REAS it will be necessary after the division of the
at a Vestry be Elected for the Parish of St. James.

re ENACTED that the Freeholders and housekeepers
ish do meet at Dover Mill on the Second Tuesday in
nd then and there Elect Twelve of the most able and
s of their Parish to be Vestry men for their said
try so to be elected having taken the Oaths appointed
bscribed to be conformable to the doctrine and dis-
Church of England shall to all intents and purposes
taken to be Vestrymen of the said Parish.

REAS the Titheable Persons in the Bounds of the said
mes for Three years passed have paid Several Sumes
wards defraying the Charge of building Two New
Parish of Henrico.

re ENACTED That the Vestry of the said parish of
ng their Parish Levy in the Years of Our Lord One

Thousand Seven Hundred and Twenty One and Twenty Two do levy
for the use of the said Parish of St James Such Sumes of Tobacco
as have been paid by the said Titheable persons within the Three
years aforesaid towards building the said Two Churches.

Ex. J. Randolph, C. H. B.

[Endorsed:]

Virginia Septimo Georgii, 1720.

An Act for dividing the Parish of Henrico in the County of Henrico.

Rec^d wth Col^t Spotswood's L^{rs} of 6th March 1720/1.

Rec^d 8th May 1721.

Sent to M^r West 30 Nov^r 1723.

Rece^d back 16 Jan^r 1723/4.

Read.

Reported.

CHAP. II.

An Act For dividing the County of Henrico.*

[Passed March 6, 1727.]

WHEREAS many Inconveniences attend the upper Inhabitants of
the County of Henrico by reason of their Great distance from the
Court-house and other places usually appointed for Public Meetings

BE IT THEREFORE ENACTED by the Lieutenant Governor
Council and Burgesses of this present General Assembly And it is
hereby Enacted by the Authority of the same That from and im-
mediately after the First day of May next the said County of Hen-
rico be divided into two distinct Counties—And that the Division be
made by a Line on the North side James River beginning at the
mouth of Tuckahoe Creek thence up the said Creek to Chumley's
Branch thence along a line of marked Trees North Twenty degrees
East to Hanover County And on the South side James River beginning
at the Lower Manachin Creek from thence along a line of marked
Trees in a direct course to the mouth of Skinquarter Creek on Appa-
mattox River And that that part of the County lying below the said
line shall for ever hereafter be called & known by the name of Hen-
rico County And that that part of the County lying above the said
line shall be called & known by the name of Goochland County
And that all that part of the Parish of Henrico lying above the said
line shall be included in and be part of the Parish of Saint James
And that all that part of the sd Parish of Saint James lying below
the said line shall be included in and be part of the Parish of Hen-
rico any Act usage or Custom to the contrary thereof in any wise

* C. O. 5. 1388. p. 101-2.

notwithstanding. And for the Administration of Justice BE
 FURTHER ENACTED by the Authority aforesd and it is hereby
 Enacted That after the time aforesd a Court for the said County
 Goochland be constantly held by the Justices thereof upon the third
 Tuesday of every Month in such manner as by the Laws of the
 Country is provided and shall be by their Commission directed.

AND WHEREAS there have been several sums of Tobacco levied
 by the Court of the said County of Henrico for Wolves heads more
 than sufficient to satisfy the proportion of the Public Levy due from
 the same. BE IT THEREFORE ENACTED by the Authority
 aforesaid And it is hereby Enacted That so much of the Overplus
 of the said several sums of Tobacco or of the money for which the
 same have been sold as exceeds the proportion of the Public Levy
 due from the said County of Henrico and which have not already
 been expended for the use of the said County and all such other
 Tobacco as is now due to the said County of Henrico for Wolves
 heads Be divided and paid between the said Counties of Henrico
 and Goochland Two thirds thereof to the said County of Henrico and
 the other third to the said County of Goochland for defraying the
 charge of Public Buildings in each County.

[Endorsed:]

No. 17. Virginia. At a General Assembly Begun and held at Williamsburg the first day of February in the first year of the Reign of Our Soverain Lord George II. By the Grace of God of Great Britain France & Ireland, King Defender of the Faith &c. and in the year of Our Lord MDCCXXVII.

An Act For dividing the County of Henrico. Its Effects Perpetual

Rec^d 30th of July 1728. Sent to Mr Fane Oct^r y^e 8th

Rec^d back Novemb^r 15th

Read,

Reported,

CHAP. III.

An Act for dividing the County of Goochland.*

[Passed March 23, 1748.]

For the Ease and Convenience of the Inhabitants of the County of Goochland in attending Courts and other public Meetings Be it enacted by the Lieutenant Governor Council and Burgesses of this present General Assembly and (ms. defective) [it is] hereby enacted by the authority of the same That from and immediately after the twen-

* C. O. Class 5. Vol. 1394.

May next ensuing the said County of Goochland and the County of Cumberland two Counties that is to say all the land lying on the south side of the said County and called by the Name of the James River aforesaid shall be one other Name of Goochland County And for Justice after the said twentieth day of the County of Cumberland be constantly held by the fourth Monday and a Court for the said County be constantly held by the Justices thereof every Month in such Maner as by the Law and shall be by their Commissions That nothing herein contained shall be contrary to the Collector of the said County of Goochland entire and undivided to make Distresses which shall be due from the said County and twentieth day of May in such Manner as he might have done if this Act had been made Custom or Usage to the contrary thereof March 22^d 1748. Read 3^d Time & passed the

Peter R

William

John R

March 23. 1748 Read the third Time & agreed

N. Wal

Copy William Randolph C. H. B.

[Endorsed:]

Virginia. At a General Assembly begun and held at Williamsburg on Thursday the Twenty seventh day of the Twenty second year of the Reign of our Soverain Lord George II. Second by the Grace of God of Great Britain France & Ireland, King Defender of the Faith &c. And in the year of Our Lord 1748.

An Act for dividing the County of Goochland and the County of Cumberland May 1749. Rec^d with Col^o Lee's Letter dated y^e 21st 1750.

Rec^d March y^e 19th 1749/50.

Sent to Mr Lamb May y^e 21st 1750.

Rec^d back Feb^r y^e 8th 1750/1.

ing. And for the Administration of Justice BE IT
ENACTED by the Authority aforesd and it is hereby
t after the time aforesd a Court for the said County of
e constantly held by the Justices thereof upon the third
every Month in such manner as by the Laws of this
provided and shall be by their Commission directed.

EREAS there have been several sums of Tobacco levied
of the said County of Henrico for Wolves heads more
t to satisfy the proportion of the Public Levy due from
BE IT THEREFORE ENACTED by the Authority
d it is hereby Enacted That so much of the Overplus
several sums of Tobacco or of the money for which the
een sold as exceeds the proportion of the Public Levy
said County of Henrico and which have not already
d for the use of the said County and all such other
s now due to the said County of Henrico for Wolves
ided and paid between the said Counties of Henrico
d Two thirds thereof to the said County of Henrico and
d to the said County of Goochland for defraying the
blic Buildings in each County.

[Endorsed:]

Virginia. At a General Assembly Begun and held at Wil-
first day of February in the first year of the Reign of
Lord George II. By the Grace of God of Great Bri-
Ireland, King Defender of the Faith &c. and in the
Lord MDCCXXVII.

dividing the County of Henrico. Its Effects Perpetual

July 1728. Sent to Mr Fane Octbr y^e 8th
Novemb 15th

1728

CHAP. III.

Act for dividing the County of Goochland.*

[Passed March 23, 1748.]

and Convenience of the Inhabitants of the County of
attending Courts and other public Meetings Be it en-
tenuant Governor Council and Burgesses of this pres-
sembly and (ms. defective) [it is] hereby enacted by
the same That from and immediately after the twen-

5. Vol. 1394.

th day of May next ensuing the said County of Goochland be
divided into two Counties that is to say all that part of the said
County of Goochland lying on the south side of James River shall
be one distinct County and called by the Name of Cumberland County
and all that other part of the said County of Goochland on the north
side of James River aforesaid shall be one other distinct County and
shall retain the Name of Goochland County And for the due Administra-
tion of Justice after the said twentieth day of May a Court for the
said County of Cumberland be constantly held by the Justices thereof
upon the fourth Monday and a Court for the said County of Gooch-
land be constantly held by the Justices thereof upon the third Tues-
day in every Month in such Maner as by the Laws of this Colony is
provided and shall be by their Commissions directed PROVIDED
always that nothing herein contained shall be construed to hinder the
Sheriff or Collector of the said County of Goochland as the same
now stands entire and undivided to make Distress for any Levies Fees
or Dues which shall be due from the said County of Cumberland after
the said twentieth day of May in such Manner and not otherwise as
by Law he might have done if this Act had never been made any
Law Custom or Usage to the contrary thereof notwithstanding.

March 22^d 1748. Read 3^d Time & passed the House of Burgesses.

Peter Randolph C. H. B.

William Gooch

John Robinson Speaker

March 23. 1748 Read the third Time & agreed by the Council.

N. Walthoe C. G. A.

A Copy William Randolph C. H. B.

[Endorsed:]

Virginia. At a General Assembly begun and held at the College
in Williamsburg on Thursday the Twenty seventh day of October in
the Twenty second year of the Reign of our Sovereign Lord George
the Second by the Grace of God of Great Britain France and Ireland
King Defender of the Faith &c. And in the year of our Lord 1748.

Num^r 35.

An Act for dividing the County of Goochland Passed y^e 10th of
May 1749. Rec^d with Col^{le} Lee's Letter dated y^e 6th Nov^r 1749.

Rec^d March y^e 19th 1749/50.

Sent to Mr Lamb May y^e 21st 1750.

Rec^d back Febr^y y^e 8th 1750/1.

Ex^d 35.

No Objection
Great Seal of Virginia
taken off pr. S. G.

CHAP. IV.

An Act for dividing the County of Henrico into two distinct counties.*

[Passed May 1, 1749.]

FOR the Ease and convenience of the Inhabitants of the County of Henrico in attending Courts and other public Meetings Be it Enacted by the Lieutenant Governor Council and Burgesses of this present General Assembly and it is hereby enacted by the Authority of the same That from and immediately after the twenty fifth day of May next ensuing the said County of Henrico be divided into two Counties that is to say all that Part of the said County of Henrico lying on the south side of James River shall be one distinct County and called by the Name of Chesterfield County and all that other part of the said County of Henrico on the north side of James River aforesaid shall be one other distinct County and retain the Name of Henrico AND that for the due Administration of Justice after the said twenty-fifth day of May a Court for the said County of Chesterfield be constantly held by the Justices thereof upon the first Friday and a Court for the said County of Henrico be constantly held by the Justices thereof upon the first Monday in every Month in such Manner as by the Laws of this Colony is provided and shall be by their Commissions directed PROVIDED alway that nothing herein contained shall be construed to hinder the Sherif or Collector of the said County of Henrico as the same now stands intire and undivided to make Distress for any Levies Fees or Dues which shall be due from the said County of Chesterfield after the said twenty fifth day of May in such Manner and not otherwise as by Law he might have done if this Act had never been made any Law Custom or Usage to the Contrary thereof notwithstanding.

April 27. 1749 Read the third time & passed the House of Burgesses.

William Randolph C. H. B.

William Gooch

John Robinson Speaker

May 1. 1749. Read the third time & agreed to by the Council.

A Copy Test

N. Walthoe C. G. A.

William Randolph C. H. B.

* C. O. Class 5. Vol. 1395.

[Endorsed:]

Virginia. At a General Assembly begun and held at Williamsburg on Thursday the Twenty seventh day of the Twenty second year of the Reign of our said Majesty King George the Third by the Grace of God of Great Britain Defender of the Faith &c. and in the year of our said Majesty King George the Third 27.

An Act for dividing the County of Henrico into two Counties.

Enacted y^e 11th of May 1749.

Enacted with Col^{le} Lee's Letter dated y^e 6th Nov^r 1749.

Enacted March y^e 19th 1749/50.

Enacted to Mr Lamb May y^e 21st 1750.

Enacted back Feb^r y^e 8th 1750/1.

27.

Gr

ta

CHAP. V.

ACT for obliging the County of Goochland James Northam and Southam to repay the said County and Parish of Saint Annes a Sum of Money therein mentioned.*

[May 9, 1749.]

WHEREAS by an Act made in the eighteenth year of our said Majesty's Reign intituled An Act for dividing the County of Henrico into two Counties and the Parish of Saint James's in that County the said Act therein mentioned it was enacted That from and after the last day of December in the year one thousand seven hundred and forty four the County of Goochland and the County of Louisa be run from the Point of the Fork of the River James to the Point of the Fork of the River James a direct Course to Brook's Mill and the Course continued to Appamattox River and the County which lies below the said Line be a distinct County to retain the name of Goochland and the County thereof above the said Line was erected in the County and called by the Name of Albemarle and the Parish of Saint James in the said County of Goochland intire and undivided should be divided into two Counties that is to say all that part of the said Parish

* C. O. 5/1395.

CHAP. IV.

dividing the County of Henrico into two distinct counties.*

[Passed May 1, 1749.]

For the ease and convenience of the Inhabitants of the County of Henrico, the following Courts and other public Meetings Be it Enacted by the Honorable Governor Council and Burgesses of this present Assembly and it is hereby enacted by the Authority of the said Assembly that on and immediately after the twenty fifth day of May in the said County of Henrico be divided into two Counties, to wit: the County of Henrico lying on the south side of James River shall be one distinct County and retain the Name of Chesterfield County and all that other part of the County of Henrico on the north side of James River aforementioned shall be one other distinct County and retain the Name of Henrico County for the due Administration of Justice after the said day of May a Court for the said County of Chesterfield shall be held by the Justices thereof upon the first Friday in every Month in the said County of Henrico be constantly held by the Justices thereof upon the first Monday in every Month in such Manner as the Laws of this Colony is provided and shall be by their direction PROVIDED always that nothing herein contained shall be construed to hinder the Sheriff or Collector of the County of Henrico as the same now stands intire and undivided from receiving any Levies Fees or Dues which shall be due in the County of Chesterfield after the said twenty fifth day of May in the same Manner and not otherwise as by Law he might have received had never been made any Law Custom or Usage to the contrary thereof notwithstanding.

Read the third time & passed the House of Burgesses.

William Randolph C. H. B.

William Gooch

John Robinson Speaker

Read the third time & agreed to by the Council.

N. Walthoe C. G. A.

William Randolph C. H. B.

5. Vol. 1395.

[Endorsed:]

Virginia. At a General Assembly begun and held at the College in Williamsburg on Thursday the Twenty seventh day of October in the Twenty second year of the Reign of our Sovereign Lord George the Second by the Grace of God of Great Britain France and Ireland King Defender of the Faith &c. and in the year of our Lord 1748.

Num^r 27.
An Act for dividing the County of Henrico into two distinct Counties.

Passed y^e 11th of May 1749.

Rec^d with Col^o Lee's Letter dated y^e 6th Nov^r 1749.

Rec^d March y^e 19th 1749/50.

Sent to M^r Lamb May y^e 21st 1750.

Rec^d back Febr^y y^e 8th 1750/1.

Ex^{pt} 27.

No Objection
Great Seal of Virg^a
taken off pr. S. G.

CHAP. V.

AN ACT for obliging the County of Goochland and Parishes of Saint James Northam and Southam to repay the County of Albemarle and Parish of Saint Annes a Sum of Money and Tobacco therein mentioned.*

[May 9, 1749.]

WHEREAS by an Act made in the eighteenth year of his present Majesty's Reign intituled An Act for dividing the County of Goochland the Parish of Saint James's in that County and for other purposes therein mentioned it was enacted That from and immediately after the last day of December in the year one thousand seven hundred and forty four the County of Goochland should be divided by a Line to be run from the Point of the Fork of James River north thirty degrees east to Louisa County Line and from the said Point of the Fork a direct Course to Brook's Mill and from thence the same Course continued to Appamattox River And that part of the said County which lies below the said Line was erected into one distinct County to retain the name of Goochland and all that other part thereof above the said Line was erected into one other distinct County and called by the Name of Albemarle And that the Parish of Saint James in the said County of Goochland as it stood then intire and undivided should be divided into three distinct Parishes that is to say all that part of the said Parish that lies in the County

* C. O. 5/1395.

of Albemarle should thereafter be esteemed one distinct Parish and be called and known by the Name of Saint Annes And all that part of the said Parish which lies on the north side of James River in the said County of Goochland should be esteemed one distinct Parish and called and known by the Name of Saint James Northam Parish And all that other part thereof which lies on the south side of the said River in the said County of Goochland should be erected into one other distinct Parish and called and known by the Name of Southam AND whereas some time before the passing of the said Act the Justices of the said County of Goochland did levy upon the Titheables within the Limits of the said County of Albemarle forty Pounds Current Money for building a Prison Pillory and Stocks in the said County of Goochland and the Vestry of the said Parish of Saint James did levy upon the Titheables within the Limits of the said Parish of Saint Annes Eight thousand eight hundred and thirty three Pounds of Tobacco for building and repairing of Churches which are now in the Parishes of Saint James Northam and Southam and it is reasonable that the said Money and Tobacco should be refunded and paid back to the said County of Albemarle and Parish of Saint Annes Be it therefore Enacted by the Lieutenant Governor Council and Burgesses of this present General Assembly and it is hereby enacted by the Authority of the same that the justices of the said County of Goochland and the respective Vestries of the said Parishes of Saint James Northam and Southam shall and they are hereby impowered and required to levy upon the Tithables of the said County and Parishes respectively the said Money and Tobacco in the proportion following that is to say the Justices of the County of Goochland shall at their next Levy levy upon the Tithables within their County the said Sum for forty Pounds and shall pay the same to the Justices of the said County of Albemarle for the use of the said County And the Vestry of the said Parish of Saint James Northam shall at their next Levy levy upon the Tithables within their Parish eight thousand six hundred thirty eight Pounds of Tobacco and the Vestry of the said Parish of Southam shall at their next Levy levy upon the Tithables within their Parish one hundred Ninety five Pounds of Tobacco and the said Vestrys shall pay the same respectively to the Vestry of the Parish of Saint Annes to be by them applied to the use of the said Parish.

May 9-1749 Read the third time May 1st 1749 Read the third Time & agreed to by the Council & passed the House of Burgesses.

N. Walthoe, C. G. A.

A Copy Test.

William Randolph C. H. B.

William Randolph C. H. B.

William Gooch

John Robinson Speaker

[Endorsed:]

Virginia. Passed y^e 11th of May 1749.

with Col^{le} Lee's Letter dated y^e 6th Nov^r 1749
March y^e 19th 1749/50.

to

May y^e 21st 1750.

Lamb

back Febr^y y^e 8th 1750/1.

Great
taken

CHAP. VI.

An Act requiring the Vestry of the Parish
to build a Chappel in the Said Parish

WHEREAS great Numbers of the Inhabitants of Henrico live so remote from the Church of the Parish, that they are not, without great Trouble and Difficulty, able to attend the same, and the Vestry of the said Parish having considered the necessity of building a Chappel for the Conveniency of the said Inhabitants

THEREFORE ENACTED by the Lieutenant Governor Council and Burgesses of this present General Assembly, by the Authority of the same, That the Parish of Henrico, at the Charge of the Inhabitants thereof, shall, before the last Day of March, which is the next Lord's Day, One Thousand Seven Hundred and Fifty, cause a Chappel to be erected in the said Parish, on the site of the old Chappel, at or near a Place called and known by the Name of Hickory, about a Mile below the lower end of the said Parish, so soon as the same shall be finished, and the said Vestry are hereby enjoined to preach every Sunday in the said Chappel, as usual for other Chappels within this Dominion.

AND IT IS ALSO ENACTED, That if the said Parish shall refuse to cause the Chappel to be erected, according to the Directions of this Act, every Person

This Act is not in its proper sequence, because it is inserted in the original article, but is inserted because it appears in *Hening* (iv, 58). It is copied from *Trotter's British Plantations in America, Relating to the Religion and Learning* (1721), a volume little known.

ould thereafter be esteemed one distinct Parish and
own by the Name of Saint Annes And all that part
sh which lies on the north side of James River in
of Goochland should be esteemed one distinct Parish
own by the Name of Saint James Northam Parish And
thereof which lies on the south side of the said River
ty of Goochland should be erected into one other
d called and known by the Name of Southam AND
e before the passing of the said Act the Justices of
of Goochland did levy upon the Titheables within
e said County of Albemarle forty Pounds Current
g a Prison Pillory and Stocks in the said County of
e Vestry of the said Parish of Saint James did
theables within the Limits of the said Parish of
t thousand eight hundred and thirty three Pounds
uilding and repairing of Churches which are now
of Saint James Northam and Southam and it is
e said Money and Tobacco should be refunded and
aid County of Albemarle and Parish of Saint Annes
Enacted by the Lieutenant Governor Council and
present General Assembly and it is hereby enacted
of the same that the justices of the said County of
e respective Vestries of the said Parishes of S
d Southam shall and they are hereby empowered
y upon the Tithables of the said County and Par
the said Money and Tobacco in the proportion
o say the Justices of the County of Goochland shall
levy upon the Tithables within their County the
y Pounds and shall pay the same to the Justices
of Albemarle for the use of the said County And
said Parish of Saint James Northam shall at
levy upon the Tithables within their Parish eight
ed thirty eight Pounds of Tobacco and the Vestry
of Southam shall at their next Levy levy upon the
their Parish one hundred Ninety five Pounds of
aid Vestrys shall pay the same respectively to the
sh of Saint Annes to be by them applied to the
rish.

the third time May 1st 1749 Read the third Time
Council & passed the House of Burgesses.

thoe, C. G. A.

William Randolph C. H. B.
William Gooch
John Robinson Speaker

dolph C. H. B.

[Endorsed:]

Virginia. Passed y^e 11th of May 1749.

Rec^d with Col^o Lee's Letter dated y^e 6th Nov^r 1749.

Rec^d March y^e 19th 1749/50.

Sent to

May y^e 21st 1750.

Mr Lamb

Rec^d back Febr^y y^e 8th 1750/1.

Ex^h 16.

No objection
Great Seal of Virg^a
taken off pr S. G.

CHAP. VI.

An Act requiring the Vestry of the Parish of Henrico to
build a Chappel in the Said Parish.*

I. WHEREAS great Numbers of the Inhabitants of the Parish of
Henrico live so remote from the Church of the said Parish, that they
cannot, without great Trouble and Difficulty, attend the Divine Ser-
vice; and the Vestry of the said Parish having hitherto delayed the
building a Chappel for the Conveniency of the said Inhabitants; BE
IT THEREFORE ENACTED by the Lieutenant Governour, Council
and Burgesses of this present General Assembly, and it is hereby EN-
ACTED by the Authority of the same, That the Vestry of the said
Parish of Henrico, at the Charge of the Inhabitants of the said Par-
ish, shall, before the last Day of March, which shall be in the Year
of our Lord, One Thousand Seven Hundred and Seventeen, cause a
Chappel to be erected in the said Parish, on the North Side of James
River, at or near a Place called and known by the Name of the
Sleeping Hickory, about a Mile below the lower Westham; at which
Chappel so soon as the same shall be finished, the Minister of the
said Parish is hereby enjoined to preach every Fourth Sunday; and
the said Vestry are required to provide for the said Chappel a Reader,
as is usual for other Chappels within this Dominion.

II. AND IT IS ALSO ENACTED, That if any of the Vestry
of the said Parish shall refuse to cause the Chappel to be erected ac-
cording to the Directions of this Act, every Person so refusing, shall

* This Act is not in its proper sequence, because it was secured too late
for use in the original article, but is inserted because the text does not
appear in *Hening* (iv, 58). It is copied from Trott (Nicholas) *Laws of
the British Plantations in America, Relating to the Church and Clergy,
Religion and Learning* (1721), a volume little known in this country.

forfeit and pay One Thousand Pounds of Tobacco, to be recovered with Costs, by any Inhabitant of the said Parish, who will inform or sue for the same, by Bill, Plaint or Information, in any Court of Record within this Colony.

III. AND BE IT FURTHER ENACTED, That if the Proprietor of the Land on which the said Vestry shall direct the building the Chappel aforesaid, shall refuse to convey Half an Acre of Land for that Use, then it shall be lawful for the said Vestry, and they are hereby required to order two good and lawful Freeholders, upon Oath to lay out and value the said Half Acre of Land in Tobacco; which Tobacco the Vestry shall, at the laying the next Parish Levy, after such Valuation, levy for the Person owning the said Land; and then the Right of the said Half Acre of Land shall be vested in the Vestry of the said Parish for ever, for the Use aforesaid, and for no other Use whatsoever.

IV. PROVIDED ALWAYS, That nothing herein contained shall be construed to give any Power to the said Vestry to take away the Houses, Orchards, or other immediate Conveniences of any Proprietor of Land, for the Use aforesaid.

At an Assembly begun

August the 3d, 1715.

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