



Guide to SHERIFF EXECUTIONS, 1840-1905

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Repository: Fairfax Circuit Court Historic Records Center



Contents Summary:

Extent: 15 linear foot boxes

Date Range: 1840-1905, inclusive

Geographical Location: Fairfax County, Virginia

Materials & Media: Ink, typeset, paper, parchment, pencil

Topics Covered: Courts and Judicial

Processing Notes:

- All documents have been unfolded and flattened. All nails, fasteners, and deteriorated rubber bands have been removed except for metal rivets (to remove these would cause considerable tearing and damage to the documents).
- All documents have been organized in chronological order, then alphabetized.
- Minimum amount of folding has been utilized to fit longer documents into the archive folders and linear boxes.

Arrangement:

- The sheriff executions are organized by chronological order, then alphabetized by surname of plaintiff.

Biographical/ Historical Note

- What is a court execution?
 - A court execution is a writ of execution court order granted to put a judgement into force. A case has already gone to trial and a judgement has been granted. The court order will be carried out by a sheriff, sergeant, coroner or constable.
 - A judge will command a sheriff or someone of similar authority to collect the "goods and chattles" of the convicted defendant to settle the debt owed to the plaintiff.
 - An execution will contain the following information: the names of the sheriff, plaintiff, defendant; amount of debt owed; date of when the debt originated, and the court date.
- Types of executions
 - Fieri Facias (Fi.fa.)-A writ to a sheriff for executing a judgement.
 - Chancery – Plaintiff seeks equal distribution of assets.
 - Writ of elegit – A judgement against a debtor's goods and chattel held by the creditor until debt is paid.
- Execution Returned/Not Satisfied
 - When an execution was not able to be served and debt unable to be satisfied; or, an execution had been served but the defendant had no property or monies to settle the debt.
- Superior Court

- Any higher court than county court, i.e. Court of Appeals, Virginia Supreme Court, the Federal Supreme Court.
- Waiver of the Homestead Act
 - Several of the executions indicate that the defendant waived their homestead right. Below is an explanation of the Homestead Act of 1862 and what it meant to waive this right.

Homestead Act of 1862

- An agreement between borrower and lender to waive the homeowner's statutory homestead rights under state law. Homestead rights protect a homeowner's equity from creditors in cases of default.
- What does that mean?
 - The Homestead Act of 1862 allowed an adult citizen to claim 160 acres of surveyed government land. They were required to **"improve" the land**, meaning cultivate and establish homes. After five consecutive years, the citizen would be entitled to **free and clear** ownership of the land.
 - If the **land was not developed** within five years, then the owner waived their homestead right and was subject to the financial obligation and susceptible to collection of debt.

Scope & Content Note

- The collection includes documents from 1840 to 1905 and is arranged chronologically, then alphabetically by surname. Along with the executions are receipts from purchases, IOUs, and bank checks to prove that the debt had either been satisfied or not satisfied.
- Ledgers: The Fairfax County Historical Records also houses several ledgers that correspond with the executions. The ledgers record the names of the plaintiff, defendant, debt owed, court costs, location of the trial, what kind of warrant was executed, the return date of the warrant, counsel, warrant issue date, and outcome of the execution (whether the debt was settled, partially settled, or not satisfied).
 - Execution Book 1: 22 April 1870 – 1 Jan 1904
 - Execution Book 2: 25 November 1878 – 27 March 1907
 - Execution Book [3]: 4 January 1858 – 1 April 1870
 - Execution: 1838-1842
 - Execution Book: 1839-1844
 - Execution Book: 1842-1846
 - Execution Book: 1844-1855
 - Execution Book: 1846-1852
 - Execution Book: 1853-1858
 - Execution Book 1855-1878/Executions Returned by Constable 1838-1848
 - Execution Book 1807-1811/Executions Returned by Constable 1849-1861
 - Executions Returned by Constable 1866-1903

Container List

Box 1

Folder 1 – F-G 1840

Folder 2 – D-G 1841

Folder 3 – A-Ba 1842
Folder 4 – Be-Coc 1842
Folder 5 – Con-Ja 1842
Folder 6 – Ag-As 1843
Folder 7 – B-BI 1843
Folder 8 – Bo-Cl 1843
Folder 9 – Co-Du 1843
Folder 10 – Do-Go 1843
Folder 11 - Gr-Ho 1843
Folder 12 - Hu-J 1843
Folder 13 - K-L 1843
Folder 14 - M-Mu 1843
Folder 15 - A-Com 1844
Folder 16 - Con-H 1844
Folder 17 - J-N 1844

Box 2

Folder 1 – O-SI 1844
Folder 2 – Sm-Z 1844
Folder 3 – A-Ch 1845
Folder 4 – Co-D 1845
Folder 5 – E-G 1845
Folder 6 – H-K 1845
Folder 7 – L-N 1845
Folder 8 – O-Sh 1845
Folder 9 – Si-W 1845
Folder 10 – A-Col 1846
Folder 11 – Com-Fa 1846
Folder 12 – Fi-Ha 1846
Folder 13 – He-L 1846
Folder 14 – M-P 1846

Box 3

Folder 1 – R-T 1846
Folder 2 – V-W 1846
Folder 3 – A-B 1847
Folder 4 – C-Fe 1847
Folder 5 – Fi-Ho 1847
Folder 6 – Hu-Mil 1847
Folder 7 – Mil-R 1847
Folder 8 – S-W 1847
Folder 9 – Miscellaneous 1847
Folder 10 – A-C 1848
Folder 11 – D-G 1848
Folder 12 – H-J 1848
Folder 13 – K-M 1848
Folder 14 – N-S 1848

Folder 15 – T-Y 1848

Folder 16 – A-W 1848 Superior Court

Box 4

Folder 1 – A-C 1849

Folder 2 – D-H 1849

Folder 3 – J-R 1849

Folder 4 – S-W 1849

Folder 5 – A-Gr 1850

Folder 6 – Gu-M 1850

Folder 7 – N-Y 1850

Folder 8 – A-W 1851

Folder 9 – A-F 1852

Box 5

Folder 1 – A-O 1853 Constable's execution not satisfied

Folder 2 – P-W 1853 Constable's execution not satisfied

Folder 3 – A-W 1854

Folder 4 – B-W 1854 Constable's execution not satisfied

Folder 5 – A-C 1855

Folder 6 – D-H 1855

Folder 7 – J-O 1855

Folder 8 – P-W 1855

Folder 9 – A-W 1856 Constable's execution not satisfied

Folder 10 – A-C 1856

Folder 11 – D-He 1856

Folder 12 – H-P 1856

Box 6

Folder 1 – R-W 1856

Folder 2 – A-C 1857

Folder 3 – D-G 1857

Folder 4 – H-K 1857

Folder 5 – L-R 1857

Folder 6 – S-W 1857

Folder 7 – A-D 1857 Constable's execution not satisfied

Folder 8 – E-L 1857 Constable's execution not satisfied

Folder 9 – M-R 1857 Constable's execution not satisfied

Folder 10 – S-W 1857 Constable's execution not satisfied

Folder 11 – A-C 1858

Folder 12 – D-G 1858

Folder 13 – H-M 1858

Folder 14 – N-S 1858

Folder 15 – T-W 1858

Folder 16 – A-C 1859

Folder 17 – D-G 1859

Folder 18 – H-J 1859

Box 7

Folder 1 – K-N 1859
Folder 2 – O-S 1859
Folder 3 – T-Y 1859
Folder 4 – A-B 1858 Execution Returned/Not Satisfied
Folder 5 – Ca-Co 1858 Execution Returned/Not Satisfied
Folder 6 – Co-E 1858 Execution Returned/Not Satisfied
Folder 7 – F-Ga 1858 Execution Returned/Not Satisfied
Folder 8 – G 1858 Execution Returned/Not Satisfied
Folder 9 – H-Le 1858 Execution Returned/Not Satisfied
Folder 10 – Lo-O 1858 Execution Returned/Not Satisfied
Folder 11 – P-Ro 1858 Execution Returned/Not Satisfied
Folder 12 – Ru-T 1858 Execution Returned/Not Satisfied
Folder 13 – W-V 1858 Execution Returned/Not Satisfied
Folder 14 – A-C 1859 Execution Returned/Not Satisfied
Folder 15 – D-G 1859 Execution Returned/Not Satisfied
Folder 16 – H-J 1859 Execution Returned/Not Satisfied
Folder 17 – K-P 1859 Execution Returned/Not Satisfied
Folder 18 – R-W 1859 Execution Returned/Not Satisfied
Folder 19 – A-B 1860 Execution Returned/Not Satisfied
Folder 20 – C-E 1860 Execution Returned/Not Satisfied
Folder 21 – F-Hi 1860 Execution Returned/Not Satisfied
Folder 22 – H-M 1860 Execution Returned/Not Satisfied
Folder 23 – W-V 1860 Execution Returned/Not Satisfied
Folder 24 – A-D 1861 Execution Returned/Not Satisfied
Folder 25 – E-L 1861 Execution Returned/Not Satisfied
Folder 26 – M-R 1861 Execution Returned/Not Satisfied
Folder 27 – S-W 1861 Execution Returned/Not Satisfied

Box 8

Folder 1 – J-O 1860 Execution Returned/Not Satisfied
Folder 2 – P-Y 1860 Execution Returned/Not Satisfied
Folder 3 – G-W 1860 Chancery Execution
Folder 4 – A-B 1860
Folder 5 – C-F 1860
Folder 6 – G-H 1860
Folder 7 – J-K 1860
Folder 8 – M-P 1860
Folder 9 – R-W 1860
Folder 10 – A-D 1861
Folder 11 – E-Herbert 1861
Folder 12 – Hickey-Perkens 1861
Folder 13 – Powell-W 1861
Folder 14 – 1864
Folder 15 – A-M 1865
Folder 16 – P-W 1865
Folder 17 – A-F 1866

Folder 18 – F-V 1866
Folder 19 – W 1866
Folder 20 – A-Commonwealth 1867
Folder 21 – Commonwealth – Ganton 1867
Folder 22 – Glassock-House 1867

Box 9

Folder 1 – Jackson-L 1867
Folder 2 – M-R 1867
Folder 3 – S-V 1867
Folder 4 – W 1867
Folder 5 – A-Coleman 1868
Folder 6 – Commonwealth – E 1868
Folder 7 – F-Jackson 1868
Folder 8 – Jackson’s Admin-McCawley 1868
Folder 9 – Moore-S 1868
Folder 10 – T-W 1868
Folder 11 – C-W 1868 Execution not satisfied
Folder 12 – A-E 1869
Folder 13 – F-H 1869
Folder 14 – J-P 1869
Folder 15 – R-S 1869
Folder 16 – T-W 1869
Folder 17 – A-J Executions not Satisfied
Folder 18 – P-W Executions not Satisfied

Box 10

Folder 1 – A-C 1870
Folder 2 – D-F 1870
Folder 3 – G-H 1870
Folder 4 – J-M 1870
Folder 5 – O-S 1870
Folder 6 – T-W 1870
Folder 7 – B-W 1870 Executions not Satisfied
Folder 8 – A-H 1871
Folder 9 – J-P 1871
Folder 10 – R-T 1871
Folder 11 – U-W 1871
Folder 12 – A-W 1871 Executions not Satisfied
Folder 13 – A-E 1872
Folder 14 – G-K 1872
Folder 15 – L-S 1872
Folder 16 – T-W 1872
Folder 17 – A-W 1872 Executions not Satisfied
Folder 18 – A-W 1873
Folder 19 – D-W 1873 Executions not Satisfied
Folder 20 – A-F 1874
Folder 21 – G-S 1874
Folder 22 – T-W 1874

Folder 23 – A-W 1874 Executions not Satisfied
Folder 24 – A-F 1875
Folder 25 – G-M 1875
Folder 26 – O-W 1875
Folder 27 – A-W 1875 Executions not Satisfied
Folder 28 – A-G 1876

Box 11

Folder 1 – H-L 1876
Folder 2 – M-W 1876
Folder 3 – A-W 1876 Executions not Satisfied
Folder 4 – A-G 1877
Folder 5 – H-P 1877
Folder 6 – R-W 1877
Folder 7 – A-W 1877 Executions not Satisfied
Folder 8 – B-G 1878
Folder 9 – H-P 1878
Folder 10 – R-W 1878
Folder 11 – B-W 1878 Executions not Satisfied
Folder 12 – A-Horner 1879
Folder 13 – Hunt – R 1879
Folder 14 – S-Y 1879
Folder 15 – A-T 1879 Executions not Satisfied
Folder 16 – A-H 1880
Folder 17 – I-Z 1880
Folder 18 – A-D 1881
Folder 19 – E-R 1881
Folder 20 – S-Z 1881
Folder 21 – A-H 1882

Box 12

Folder 1 – I-Z 1882
Folder 2 – A-H 1883
Folder 3 – I-Q 1883
Folder 4 – R-Z 1883
Folder 5 – A-H 1884
Folder 6 – I-R 1884
Folder 7 – S-Z 1884
Folder 8 – A-G 1885
Folder 9 – H-Z 1885
Folder 10 – A-J 1886
Folder 11 – K-Z 1886
Folder 12 – A-D 1887
Folder 13 – E-L 1887
Folder 14 – M-Z 1887
Folder 15 – A-D 1888
Folder 16 – E-L 1888

Box 13

Folder 1 – M-R 1888

Folder 2 – S-Z 1888
Folder 3 – A-C 1889
Folder 4 – D-J 1889
Folder 5 – K-P 1889
Folder 6 – R-T 1889
Folder 7 – U-W 1889
Folder 8 – A-G 1890
Folder 9 – H-P 1890
Folder 10 – R-Z 1890
Folder 11 – A-J 1891
Folder 12 – K-Z 1891
Folder 13 – A-F 1892
Folder 14 – G-O 1892
Folder 15 – P-Z 1892
Folder 16 – A-E 1893
Folder 17 – G-N 1893
Folder 18 – O-Z 1893
Folder 19 – A-E 1894
Folder 20 – O-W 1894

Box 14

Folder 1 – F-M 1894
Folder 2 – A-D 1895
Folder 3 – E-H 1895
Folder 4 – J-M 1895
Folder 5 – N-S 1895
Folder 6 – T-W 1895
Folder 7 – A-D 1896
Folder 8 – E-H 1896
Folder 9 – J-N 1896
Folder 10 – O-S 1896
Folder 11 – T-Z 1896
Folder 12 – A-D 1897
Folder 13 – D-J 1897
Folder 14 – K-O 1897
Folder 15 – P-U 1897
Folder 16 – A-D 1898
Folder 17 – E-J 1898

Box 15

Folder 1 – K-P 1898
Folder 2 – R-Z 1898
Folder 3 – A-G 1899
Folder 4 – H-P 1899
Folder 5 – R-Z 1899
Folder 6 – A-F 1900
Folder 7 – G-M 1900
Folder 8 – O-Z 1900
Folder 9 – A-E 1901

Folder 10 – F-L 1901
Folder 11 – M-R 1901
Folder 12 – S-Z 1901
Folder 13 – A-I 1902
Folder 14 – J-Q 1902
Folder 15 – R-Z 1902
Folder 16 – A-K 1903
Folder 17 – M-Z 1903
Folder 18 – A-Z 1904
Folder 19 – R 1905

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