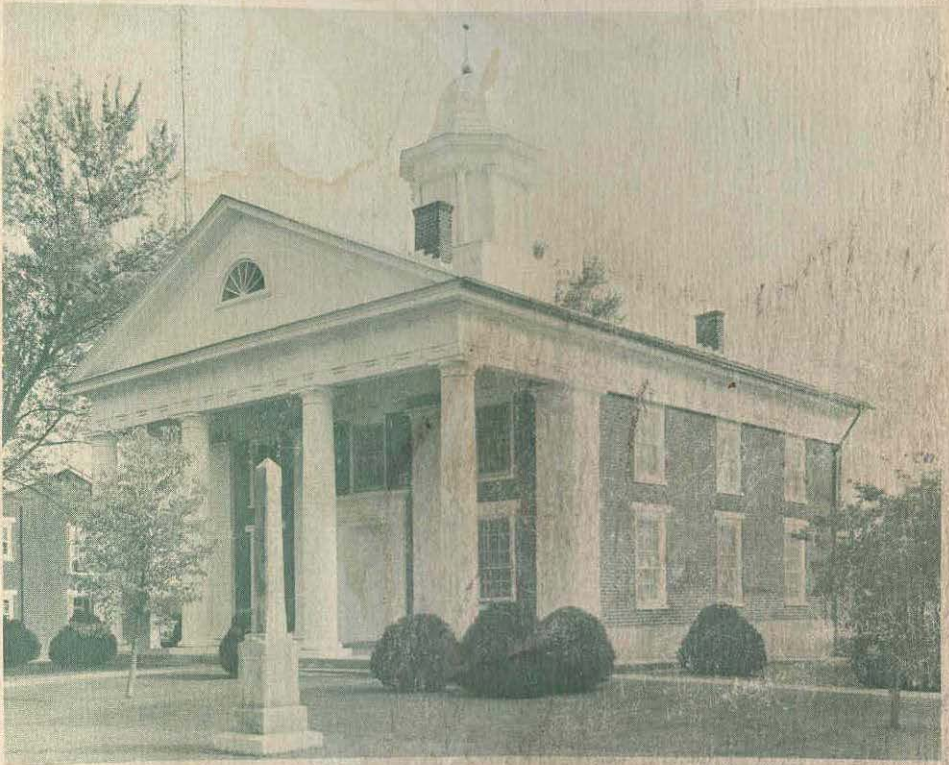


Greene County

MAGAZINE

1838: The Formation of Greene County



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1838: The Formation of Greene County*
By Woodie B. Parrott

"Be it enacted by the General Assembly; That so much of the County of Orange as lies next to and adjoining the Counties of Madison, Rockingham, & Albemarle, and west of a line adjoining Cave's old Mill [Now the property of James Jackson] on the Madison County line, and running thence a straight line to where Whitelaw's Millrun, intersects the Albemarle County line, and shall form one district and new county, and be called & known by the name of Greene County, in memory of General Nathaniel [Sic] Greene, who served this Country in the Revolutionary War."

Such were the opening words of "An Act forming a new county out of the County of Orange," passed by the General Assembly of Virginia on January 24, 1838. [1] This momentous Act carved a new political entity for several thousand residents in the foothills of the Blue Ridge Mountains -- the County of Greene.

The bill which culminated in the above Act was introduced in the legislature by Senator Thomas Davis, who represented the County of Orange in the Virginia State Senate at that time. A leading protagonist in the separatist movement, Davis had initiated the effort to form the new county by circulating a petition among residents of the western portion of Orange County, which he presented to the General Assembly, and which petition appears verbatim later in this article. The period of time required for Senator Davis and his proponents to lay the political groundwork for their victory in the legislature is unknown, since the move to form the new county had encountered strong resistance and spurned bitter division in Orange County over the issue.

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On January 25, 1838, the day following the General Assembly's creation of Greene County, the Honorable David Campbell, Governor of Virginia, issued the following directive:[2]

"The Governor of Virginia, to all to whom these presents shall come, Greeting:

"Know you that our Governor, in persuance of the provisions of an Act of the General Assembly passed January 24th, 1838, entitled "An Act forming a new county out of the County of Orange" hath constituted and appointed William Parrott, Thomas Davis, William Dulaney, James Simms, Daniel White, Oliver Finks, Daniel Miller, Newton Hume, James F. Finks, George Stevens, George S. Blakey, James Beazley, William Sims, Jr., Elijah K. Davis, Joel Jarrell, and James M. Fitzhugh; Justices of the Peace, in and for the County of Greene, with authority as well to execute within the limits of the said county, the other duties of the said office prescribed by law, as to be of any court to be holden [Sic] for the said county.

"In testimony whereof these our letters are sealed with the lesser seal of the Commonwealth, and made patent."

The sixteen Justices were appointed in order of seniority by the commissions which they had held when the new county was formed. The Justices were to hold court on the Thursday after the second Monday in every month, and the Act passed by the General Assembly directed that a meeting of the Justices was to be held at the home of Robert Pritchett in Stanardsville, or other such home mutually agreeable, in April 1838, to appoint a Clerk of the Court and submit nominations to the Governor of persons suitable for the other county offices. The sixteen Justices were in effect a Board of Directors for the county's affairs as well as officers of the court.

An important decision which immediately confronted the newly formed county was the selection of a suitable site for erection of public buildings and holding court. The Act passed by the General Assembly provided that Thomas Durrett of Albemarle, Jacob Conrad of Rockingham, and Linn or Simm Banks of Madison County were to serve as Commissioners to perform this task. It is noteworthy that not one resident of Greene had a voice in the selection of the location of the county buildings. However, Senator Thomas Davis had left no doubt in his drafting of the petition to the legislature of his preference for Stanardsville to serve as the county seat.

The one-half acre lot in Stanardsville selected by these three men is of course the site where the Greene County Courthouse and other county buildings stand today.

The Act passed by the General Assembly creating Greene County on January 24, 1838, also designated Commissioners for the surveying of the county line dividing Greene from its parent county. While additional commissioners were named in the Act, the actual survey was made by Wesley Fry of Madison, Robert W. Brooking of Orange, and Ira B. Brown of Albemarle County. They were assisted by Francis Whitely, Surveyor, and also Watts Yager and Edmund May who were chain-carriers.

[3]

The survey party began its work on June 12th, and it was completed on June 16, 1838, with the Commissioners receiving payment of \$4.00 per day for their work. The points along the survey were marked by four chops with an ax so that the county line might be distinguishable from normal land survey markers. [4]

The appointment of Robert Pritchett to serve as the Clerk of the Court was presumably made when the Justices met at Pritchett's home in Stanardsville on the Thursday following the second Monday in April 1838. Pritchett held his office of County Clerk for approximately twenty-five years.

On May 21, 1838, the Governor of Virginia appointed William Parrott to serve as the first Sheriff of Greene County.[5] On June 14, William Parrott, James Beadles, William Sims, Elijah K. Davis and Senator Thomas Davis posted performance bond in penalty of \$30,000.00 to secure Parrott's performance in that office, as was then customary.

William Parrott was no newcomer to public service. He had been a Justice of the Orange County Court for many years and served as High Sheriff of Orange County from 1819-1821. A native of Northumberland County, and a veteran of the Revolutionary War, Parrott was eighty-four years old when he received his appointment, and he was reappointed Sheriff in 1839 for a second one-year term. After stepping down from serving as Sheriff, he continued to serve as a Justice of the Greene County Court.

It is noteworthy that other members of the original list of Greene County Justices were later to serve as Sheriff. Parrott was succeeded by Senator Thomas Davis, who served from 1840 to 1842; Davis was succeeded by James Simms, who served from 1842-1844; and Simms was succeeded by Daniel White. In this era, the position of County Sheriff carried more prestige and local influence than is today associated with that office.

In addition to the appointment of William Parrott to the position of Sheriff, other gubernatorial appointees to Greene County offices were made in 1838. Francis Whitely was appointed County Surveyor, and James Beazley was appointed County Coroner.[6]

Appointment to the Office of Constable likewise required persons of responsibility, since the Constables were subordinates to the Sheriff and County Court. A review of bonds filed in Greene reveals that the original Constables appointed in 1838 included John F. Carpenter, Thomas S. Thornton, Jennings Maupin, and Richard H. Robinson.[7] Each posted bond in penalty of \$2,000.00.

The Act passed by the General Assembly creating Greene County did not sever all of the judicial and political ties between the Counties of Orange and Greene. For example, the General Assembly provided that Greene was to remain in the same Judicial Circuit and the same Circuit Superior Court of Law and Chancery with the County of Orange and also to remain in the same electoral district. It further provided that Orange and Greene would jointly elect their representative to the Virginia House of Delegates.

It must have been with immeasurable satisfaction that the county's "founding fathers" watched the progress in the construction of the Greene County Courthouse. According to V. H. L. C. files, the Courthouse was built in 1839 at a cost of \$6,832.00, although other authoritative sources put the date of construction in the early 1840's. It is documented that the builder was the eminent William B. Phillips, who had earlier been employed by Thomas Jefferson in the building of the University of Virginia.

Space does not here afford a proper discussion of the significance and historic qualities of architecture exemplified by the Greene County Courthouse, or for an appropriate testimony to the genius and talent of its builder. Suffice it to say that this architectural gem has graced courtsquare in Stanardsville for approximately 140 years, and it is a deserving landmark worthy of cautious preservation.

There is a tendency sometimes to regard historic events almost as if they were predestined to occur at a given point in history. In thus taking the event for granted as having been an inevitable occurrence, we forget the struggle and work that was actually invested, and fail to understand or to appreciate its significance.

So it is with the subject at hand. We can only appreciate the momentous events of 1838 by recognizing the intense efforts applied by proponents of the move to form the new county, finally realizing their victory in the Virginia legislature on January 24, 1838. The Justices, Commissioners, and County Officials of 1838

made decisions and set precedents that have profoundly affected the county's history.

The events of 1838 constituted the laying of a foundation -- a foundation on which we continue to build!

A verbatim copy of the 1838 petition to the Virginia State Legislature requesting formation of the County of Greene, with the names of the county residents who signed the petition, is presented below. [8]

To the Honorable Legislature of Virginia:

The Petition of the subscribers of the upper end of Orange County, State of Virginia, most respectfully showeth,

That your memorialists participating in common with their fellow citizens in the enjoyment of free government, have ever looked with interest to the prosperity of our republican institutions, as the best guarantee for the security of the many and diversified blessings as a community of free men which it is our great privilege to enjoy under our happy Constitution, and none do we recognize with a higher spirit of exultation than the right of petition to the constituted authorities of the country for the redress of our grievances, which right can only be withheld when we cease to be free, and which we have hitherto refrained from making known to your honourable body, in consideration of the political excitement of the public mind upon the subject of the reform of the State Constitution, by which modification we had some reason to hope of relief under the then contemplated remodeling [Sic] the counties by a new organization of the Government.

Your memorialists further represent to your honorable body, that the great distance at which they reside from the seat of justice of their county, renders it both inconvenient and expensive in attending court; being often detained there by serving on juries, being detained as witnesses, and the more frequent procrastination of law suits, and not unfrequently by the high water of two rivers that intersect their travelling thither or returning home, and the extreme badness of the public highways from beyond the mountains to the Court House, which is nearly impassable for six months of the year or during the winter season. Orange County is about seventy miles in length, and for some distance above the Court-House, the breadth is but ten miles, it being thirty or forty miles from the Court House to the top of the Blue Ridge, which divides this county from Rockingham. The above obstacles and inconveniences often prevent the magistrates from this part of the County from attending court, and the public business is thereby injuriously neglected. The great and many privations which your memorialists labour under, have inducted them to ask your honourable body to enact a law authorizing a division of the County of Orange, by a line running nearly north and south from some point in the Albemarle line between Cavesville and Barboursville to the head waters of Marsh Run, thence with the meanderings to the mouth of said run, emptying into the Rapid Ann river, the dividing line between Orange and Madison. This division would form a compact county extending from the said designated line to the top of the Blue Ridge, a distance varying from twenty to thirty miles, and varying in width from ten to twenty miles, embracing

a population of about seven thousand industrious citizens, many of whom, by their daily labour, are subjugating the huge mountains to all the valuable purposes of agriculture. Within this boundary a Court House may be located at Stanardsville, which is near the centre, & the citizens, like most of the other counties, will be enabled to attend court and return home the same day, which they can seldom do in their present condition. Stanardsville is situated 23 miles from Orange Court house, 25 miles from Charlottesville, 34 from Harrisonburg, and 25 from Madison Court-House. By the location of a seat of justice there, the citizens [a greater proportion of whom reside above there] and the magistrates would be enabled to attend court promptly and dispatch the public business without delay. Wherefore, by this division of the county, no injury whatever can arise to the remainder of its citizens, and while we rely on their magnanimity [Sic] in the spirit of equal laws for a hearty cooperation in behalf of our sovereign rights, and a redress of our grievances we look with confidence to your honourable body, the Legislature of our State, to grant this petition of your memorialists which they deem reasonable and worthy of your deliberate consideration.

William C. Jennings	Feelding Riddle
✓ Harlewoth Riddle	Park Goodall
✓ Durret Oliver	Thornton Rogers
James Lamb, Jr.	James Burns
Abram Eddins	✓ St. Clair Williams
John W. Taylor	William Eaton
✓ Hiram S. Eddins	Augustine Gear
Bluford Eddins	Nathaniel Gear
William Riddle	Matthew Night

William Dunivan	✓ George Shearman
Thomas Staton	John Marr
John Gear	✓ Valentine Bezley
James Gear	Levi Morris
Michael Moyers	George Powell
Daniel Runkle	Downing Smith
John Hanes	Tasewell Marr
William Nichols	Zachariah Taylor
Tandy Sims	Henry Warren
✓ Smith Eddins	✓ Bezaleel Parrott
James Lamb Sen.	Madison Marr
William Lamb	James Beazley
William Shiflet	T. C. Garth
Staton Shiflet	Hugh R. Powell
Joseph Morris	✓ Wade H. Snow
Eliot M. Burton	Jonathan Powell
J. D. Goodall	Leelan I. Frasure
Thomas J. Eddins	✓ William T. Parrott
James Jollet Jun.	✓ Granville Kennedy
✓ St. Clair Dean	✓ Fielding Powell
Peter Marsh	James Warren
George Thornton	William H. Sims
Addison F. Booton	Simon Powell
Gabriel Powell	✓ Charles Parrott
Edwin Nichols	William Rogers
Layton Eddins	John M. Sims
Absalom Morris	Robert B. Winslow
Daniel Bent	William Lampson
John Anall	Joseph Jarrell
✓ Armstead Long	Ransom Lamb
John Lamb, Jun.	Albert Eaton
Samuel Ham	Stewart Marks
Elijah Huffman	Thomas Tyler
Henry Fleak	May Haney
Enoch Simons	John Haney
John Shiflet	Davis Shiflet
✓ Emanuel Runkle	✓ William H. Parrott
William Dean	Noah Smith
James Ancel	Abraham Taylor
✓ William Powel	William C. Knight

✓ James Haney, Jun.	William Honsworth
Matthew Lamb, Jun.	John Higdon
✓ Jeremiah Lamb	William Willacks
Jacob Fleak	Jackson T. Powell
✓ George Dean	✓ Mordecai Buckner
✓ Sanford Dean	✓ Thomas M. Shearman
✓ Cornelius Lamb	Benjamin Anderson
✓ John Haney, Sen.	John H. Melone
Wyat Snow	Achiles Rogers
John Fleak	✓ Alfred M. Mallory

REFERENCES:

- [1] "An Act forming a new county out of the County of Orange," recorded in Greene County Will Book 1, pp. 124-125.
- [2] Greene County Will Book 1, pp. 125-126.
- [3] Ibid., p. 126
- [4] Ibid.
- [5] Ibid., p. 127
- [6] Ibid., pp. 135 -136, see respective performance bonds.
- [7] Ibid., pp. 129 -130, 134, see respective performance bonds.
- [8] 1838 Petition to the Virginia State Legislature, from the collection of the late T. B. P. Davis, Esquire; see "Footprints in the Sands of Time" by Mozelle C. Brown, The Greene County Record, January 25, 1979.