Archives and History NEWS From the Editor: WEST VIRGINIA

VOLUME XII, No. 12 FEBRUARY 2012

> **Archives and History News** is available on the

Archives and History Web site http://www.wvculture.org/history/ ahnews/ahnews.html

Archives and History continues to offer an exciting lineup of speakers for our First Tuesday lecture series and our Second Thursday Genealogy Club series. If you are unable to attend, always check our You Tube channel, http://www.youtube.com/user/wvarchivesandhistory, to see if a video of the presentation is available. While you are there, browse our list of 70 videos of news clips, speakers, films and film clips of West Virginia history, places and people. For Facebook members, please "like" our West Virginia Archives and History page. Posts include "This Day in West Virginia History," lecture and workshop announcements, monthly posting of West Virginia Archives and History News, and "West Virginia Sesquicentennial Timeline" with information about Civil War activities and the progress of West Virginia statehood.

West Virginia History Day at the Legislature is February 23

By Mary Johnson

The sixteenth annual West Virginia History Day will be held at the West Virginia State Capitol Complex on Thursday, February 23, 2012. History Day is officially designated by the West Virginia Archives and History Commission as a special day to recognize the state's rich and varied history.

On History Day, dozens of state, county, and local historical, preservation, genealogical, museum, and like organizations from across West Virginia will have displays in the capitol from 9:00 a.m. to 2:00 p.m. At 9:30 a.m., in the Culture Center, more than thirty individuals will be recognized as History Heroes for their dedicated support of the programs of the nominating organizations or for a recent significant contribution to state and local history through

research, interpretation, publication or preservation.

At 10:30 a.m. in the governor's press room at the capitol, Preservation Alliance of West Virginia, Inc., (PAWV), one of the co-sponsors of

History Day, will announce its 2012 list of endangered properties. That evening. Raamie Barker, leader of Robert F. Kennedy's 1968 campaign in Logan County, will speak on Continued on page 6

"J. R. Clifford and the Carrie Williams Case" Will Be Discussed February 7

On February 7, 2012, Tom Rodd will present "J. R. Clifford and the Carrie Williams Case" at the Tuesday evening lecture in the Archives and History Library. The program will begin at 6:00 p.m. and is free and open to the public.

In 1887, J. R. Clifford became the first African American to pass the West Virginia bar examination, and, in 1898, he argued the landmark case Williams v. Board of Education

of Fairfax District before the West Virginia Supreme Court of Appeals. Tucker County's Fairfax District board had reduced the school term of African American schools from eight to five months to save money, but black teacher Carrie Williams continued teaching for the entire eight months. When the board refused to pay her for the additional time, J. R. Clifford filed a lawsuit that

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resulted in a Supreme Court decision in favor of Williams and against racial discrimination.

Thomas Rodd is a graduate of Fairmont State University and the WVU College of Law and currently is an assistant attorney general in the Appellate Division of the West Virginia Attorney General's Office. According to Rodd, he has had a passion for history for thirty years. He has been involved in telling J. R. Clifford's story since 2004 and is the author of a historical play on Clifford and the Williams case. Rodd believes that "hearing the story of 'I.R. Clifford and the Carrie Williams Case' helps people today to understand West Virginia history in a unique way. The events and characters in the story are exciting, colorful, and entertaining—and they are also inspiring."

On February 7, the library will close at 5:00 p.m. and reopen at 5:45 p.m. for participants only. To register in advance, contact Robert Taylor, library manager, by e-mail at bobby.l.taylor@wv.gov or at (304) 558-0230, ext. 163. Participants

interested in registering by e-mail should send their name, telephone number and the name and date of the session. For additional information, contact the Archives and History Library at (304) 558-0230.

[This article originally was prepared by Mary Johnson for the Archives and History Web site.]

13th Annual Hoot Owl Night at the Archives is Coming Soon!

The eagerly anticipated annual Hoot Owl Night of research, networking and great camaraderie at the West Virginia Archives and History Library will be from 6:00 p.m., Friday, March 30, 2012, through 8:00 a.m., Saturday, March 31. The event is limited to 50 participants, with registration and fee of \$25 due (postmarked or hand delivered) by March 16. If space is available after that date, a late registration fee of \$35 will be charged.

Researchers will be able to use the resources of the library all night long, while working with well-known genealogists from around the state, and making new friends and research connections with fellow "owls." The library will be closed at 5:00 p.m., as usual, with Hoot Owl researchers entering from the

Culture Center rear loading dock door at 6:00 p.m. Refreshments will be available outside the library in the Archives conference room. (It is claimed that some come mostly for the goodies!) Catch a little sleep however you can, whether at a chair with a pillow on the table, or in a sleeping bag on the floor. Smokers will be escorted outside periodically for smoke breaks. Tours of the non-public areas of the Archives will be given, featuring some new things to show those who have toured in the past.

Hoot Owl Night is co-sponsored by the West Virginia Division of Culture and History's Archives and History section and Mining Your History Foundation, with proceeds going toward improvement of the Archives and History Library and its collections. For more information, visit http://www.wvculture.org/ history/hootowl2012brochure.pdf, or contact Joe Geiger, (304) 558-0230, ext. 165, or Wes Cochran, (304) 422-1774, wescochran@juno. com. To view photos of Hoot Owl 2011. go to http://www.wvculture. org/history/archivesnewsroom.html. Join in this unique combination of learning along with fellowship of like-minded enthusiasts of genealogy and West Virginia history. Don't let distance keep you away—every vear there are several researchers who fly in or drive long distances to take advantage of the opportunity to research all day Friday, all night, and again on Saturday, getting the equivalent of four days of research in two days.

Evening	Worksl	nops and	Lecture	Schedule

Date	Conducted by:	Subject		
March 6 Tuesday	Bethany Canfield & Carolyn Kender	West Virginia's Civil War Historic Sites		
April 3 Tuesday	Bob Withers	Presidential Whistle Stops in West Virginia		
May 1 Tuesday	Jack Dickinson	Every Blood-Stained Mile: The Building of the Norfolk and Western in West Virginia		
June 5 Tuesday	Larry Rowe	Malden and the Salt Industry		
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Registration for these free workshops is helpful but not required. Call our office at (304) 558-0230, or e-mail bobby.l.taylor@wv.gov.

Workshops are held 6:00 p.m. to 7:30 p.m. in the West Virginia Archives and History Library, The Culture Center, Charleston, West Virginia.



Quick Guide to West Virginia Land Deed Terminology

By Randolph Marcum Jr.

West Virginia Archives and History's microfilm collection includes most of the county deed books up to 1910 and the grantor (seller) and grantee (purchaser) indexes up to 1970. Actual date ranges for a particular county may be found on the Archives and History Web site at http://www.wvculture.org/history/ countrec.html. The deed books contain a variety of information dealing with real property (land), as well as several other types of legal instruments. (See last month's issue of the newsletter for a discussion of information that can be found in deeds.)

The following is an explanation of terms that appear in deed records:

Agreements. Contracts between parties that deal with property.

Assignments. Transferring an interest in property, or some other legal right, to another.

Bill of sale. Throughout the early deed books, bill of sale documents for different items can be found: machinery, adding machines, weight scales, and musical instruments, to name a few.

Certificates. Some professions, such as embalming, required a certificate. The fee for the certificate was paid to the governing body and then recorded in the deed books by the county clerk.

Discharges. Military service records were entered into the deed books. After the Civil War, the county clerks for some counties recorded

discharges. The clerks would also list soldiers' personal information, along with battles in which they had fought.

Emancipation. When slaves were freed the documentation would be entered the same as for a piece of property.

Grant Deed. The document that transfers title to real property or a real property interest from one party (grantor) to another (grantee). It will describe the property by legal description of boundaries and/or landmarks, be signed by all people transferring the property, and be acknowledged before a notary public. The transfer is finalized by recording with the county clerk. Importantly, a grant deed warrants that the grantor actually owned the title to transfer, which a quitclaim deed would not, since it only transfers what the grantor owned, if anything.

In Chancery. The Circuit Court appointed commissioners to survey property whose division was contested. The commissioners surveyed the property and then reported back to the court with their results, whereupon the court would order the division. There will be corresponding records recorded in the circuit clerk's office on the case.

Incorporation. The basic charter of a corporation which spells out the name, basic purpose, incorporators, amount and types of stock which may be issued, and any special characteristics.

Lease. A written agreement in which the owner allows use of the property for a specified period of time, for specific periodic payments, and there may be other terms and conditions.

Lis Pendens. Latin for "a suit pending," written notice that a lawsuit has been filed that concerns the title to real property or some interest in that real property. The lis pendens (or notice of pending action) is filed with the circuit clerk, certified that it has been filed, and then recorded with the county clerk. This gives notice to the defendant who owns real estate that there is a claim on the property, and the recording informs the general public that there is a potential claim against it.

Manumission. Early deed books have entries that document slaves being freed upon the death of their owner, especially in the owner's will. The formal emancipation from slavery.

Maps. Many of the early deed books contain maps that show various land features and information.

Marriage contract. A contract between the groom and bride to protect each party's interests in property before the marriage. Similar to a prenuptial agreement.

Power of Attorney. A person or an entity appoints an attorney to act in their stead.

Quitclaim Deed. A real property deed that transfers (conveys) only that interest in the property to which the grantor has title. Commonly used in transfers of title or interests in title, quitclaims are often made to family members, divorcing spouses, or in other transactions between people well-known to each other. Quitclaim deeds are also used to clear up questions of full title when a person has a possible but unknown interest in the property. Grant deeds and warranty deeds guarantee

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History News, [Volume and issue numbers], [Month, Year], a publication of the West Virginia Division of Culture and History.

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(warrant) that the grantor has full title to the property or the interest the deed states is being conveyed, but quitclaim deeds do not warrant good title.

Reservation. A provision in a deed that keeps (reserves) to the grantor some right or portion of the property.

Surveyor's report. An entry in the deed book that usually deals with a delinquent land tax sale.

Title in Fee. Absolute title to land, free of any other claims against the title, which one can sell or pass to another by will or inheritance. This is a redundant form of "fee," but is used to show the fee (absolute title) is not a "conditional fee," or "determinable fee," or "fee tail." Like "fee" it is often used in deeds transferring title, as in "State of West Virginia grants to John Doe title in fee simple . . ." or similar words.

Trust deed. Another name for a deed of trust, a form of mortgage used in some states, in which title is transferred to a trustee to protect the lender until the loan is paid back.

Warranty Deed. A deed to real property which guarantees that the seller owns clear title that can be

2012 History Bowl Competition Begins

The regional competitions for the 2012 West Virginia History Bowl begin as early as February 3. Visit our Web site at http://www.wvculture.org/history/historybowl.html to learn more about this quiz bowl contest for 8th grade students, and to see the 2012 schedule. We urge local historical and genealogical societies, as well as interested individuals, to support their local teams and attend the regional competition in their area to see and hear our young people display their knowledge of all aspects of West Virginia and West Virginians.

transferred (conveyed). A "grant deed" generally is a warranty deed, while a "quitclaim deed" is not.

As time passed, many of these types of entries were no longer used. Many now have their own series of books located in the county clerk's office. This list is by no means all inclusive.

Most entries in the county deed books will generally be in this format:

Title. In most entries the grantor (seller) is listed first with the grantee (buyer) listed last. May list what type of entry: deed, contract, agreement, or other legal instrument.

Body. This will have the boundaries, significant marks and features, neighbors, references to earlier deeds, date the deed was agreed to, and other information relating to the piece of property. A description of machinery may be included; for example, a 2-truck Shay locomotive delivered from the factory on a monthly payment basis to a specific lumber company. Business equipment usually included the name of the manufacturer and the basis of payment. Weight scales for weighing items and typewriters were just two types of business equipment required to be entered into the early deed books.

KVHC Heritage Fair on March 3

The Kanawha Valley History Center (KVHC) is sponsoring a Heritage Fair on March 3 from 11:00 a.m. to 3:00 p.m. at KVHC's library in the Rand Community Center in Rand, WV. Admission is free. Vendors may rent space for \$5 if registered by February 4, limit of two spaces, with payment due the day of the Fair. Late registration (if space is still available) of \$15 must be paid no later than February 11. For more information contact Linda Hoskins, (304) 205-7962, kvhc6@yahoo.com.

Verification. This is usually the oath of the notary public as to the identification of the concerned parties. In earlier deed books the Justice of the Peace, a judicial office eliminated on January 1, 1977, could also verify the identity of the parties concerned. Prior to 1931 the Justice of the Peace or county clerk would verify that the wife agreed to the details contained in the deed; however, in 1931 the *Code of West Virginia* did away with this requirement.

County Clerk's certification. The clerk, or his/her appointed deputy, will certify that the deed was received and recorded at the county courthouse on the date indicated.

Legal Terms.

Et al. Abbreviation for the Latin phrase "et alii" meaning "and others." This is commonly used in shortening the name of a case, as in "State of West Virginia v. John Doe, et al."

Et ux. Abbreviation for the Latin phrase "et uxor" meaning "and wife." It is usually found in deeds, tax assessment rolls, and other documents in the form "John Doe, et ux.," to show that the wife, as well as the husband, owns the property.

Et vir. Latin phrase for "and husband." It is also usually found in deeds, tax assessment rolls, and other documents in the form "Jane Doe, et vir.," to show that the wife, as well as the husband, owns the property.

Sources.

West Virginia. Deed Books. Various counties: County Clerks, 1757 to present. Print.

Donna J. Spindel. "Women's Legal Rights in West Virginia, 1863-1984." West Virginia History Volume 51 (1992): 29-44. Print.

Gerald and Kathleen Hill. www. law.com ALM Media. Web, accessed January 5, 2012.



Property Research for Genealogy and History Topic of February 9 Program

On February 9, 2012, professional surveyor Don Teter will present "Property Research for Genealogy and History" at the Thursday evening lecture in the Archives and History Library in the Culture Center in Charleston. The program will begin at 6:00 p.m. and is free and open to the public.

Teter will provide an introduction to research sources and analysis methods used by boundary surveyors, with tips for their application to genealogical and historical research. His presentation will address land grants, books, and deeds; wills; circuit court records; tax, historic, and topographic maps; plotting property descriptions to create maps; online record resources; and errors and ambiguities in records.

A graduate of Davis and Elkins College, Donald L. Teter began surveying as a chainman and brushcutter in 1974. Since receiving his West Virginia surveying license in 1982, he has surveyed some town and suburban areas but has worked primarily with rural properties, involving research in 26 of the state's 55 counties. In addition to his work in the field, Teter presents continuing education seminars for licensed surveyors. He is a director and past president of the West Virginia Society of Professional Surveyors and edited West Virginia Surveyor for ten years. He has served on the national board of directors of the Surveyors Historical Society, an organization dedicated to preserving historic surveying instruments and records and educating the public about the history of surveying, for almost a decade.

Teter is a consultant for the Rich Mountain Battlefield Foundation and Historic Beverly Preservation and is a published author on Randolph County history, including Goin' Up Gandy, A History of the Dry Fork Region of Randolph and Tucker Counties, West Virginia (2nd ed., 2011). Teter also portrays Porte Crayon (David Hunter Strother) as part of the West Virginia Humanities Council's History Alive! program.

For planning purposes,

participants are encouraged to register for the program, but advance registration is not required to attend. To register in advance, contact Robert Taylor, library manager, at bobby.l.taylor@wv.gov or at (304) 558-0230, ext. 163. Participants interested in registering by e-mail should send their name, telephone number and the name and date of the session. For additional information, contact the Archives and History Library at (304) 558-0230.

[This article originally was prepared by Mary Johnson for the Archives and History Web site based on information provided by Don Teter.]

New Titles

The Flood of November 4–5, 1985: in Tucker, Preston, Grant and Hardy Counties West Virginia: Wayne Bittenger, editor, 1985.

"They'll Cut Off Your Project": A Mingo County Chronicle: Huey Perry, 2011, c1972.

Pocket Guide to the Scenic Wonders of America: Rand McNally, 1973.

U.S. Camera 1945: the U.S.A. at War: [1945?].

Self-Sufficiency and the Welfare Trap: A County by County Comparison: West Virginia Human Resources Association, 1995.

Kin to "Old Ned" Sizemore: Edith Jackson Hankins, 2011.

Birds of West Virginia: Field Guide: Stan Tekiela, 2008.

Building for a New Century: Higher Education in West Virginia: Carnegie Foundation for the Advancement of Teaching, 1989.

Waterfalls of Virginia and West Virginia: A Hiking and Photography Guide: Kevin Adams, 2002.

West Virginia Penitentiary: Jonathan D. Clemins, 2010.

The Other Feud: William Anderson "Devil Anse" Hatfield in the Civil War: Dr. Philip Hatfield, 2010.

Poverty and Women in West Virginia: V. Aileen Hall, 1983.

Growing and Processing Sorghum for Sirup [*sic*] **Production:** J. D. Anderson, [1977].

Colonels in Blue-Michigan, Ohio and West Virginia: A Civil War Biographical Dictionary: Roger D. Hunt, 2011.

West Virginia: An Explorer's Guide: Leonard M. Adkins, 2011.

West by West: My Charmed, Tormented Life: Jerry West and Jonathan Coleman, 2011.

League of Women Voters of the Charleston Area: Education Study: Curriculum: Charleston Area League of Women Voters, 2000.

Juvenile Services Study: League of Women Voters of West Virginia, 1998.

Study of Alternate Kinds of Ownership of the Kanawha Valley Water Supply: Charleston Area League of Women Voters, 1974.

Official Journal and Yearbook of the West Virginia Annual Conference of the United Methodist Church: The Conference, 2011.

Kinship Migration to Northwestern Virginia, 1785–1815: The Myth of the Southern Frontiersman: Philip W. Sturm, 2004.

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"Bobby Kennedy and West Virginia's 1968 Presidential Primary" in the Archives and History Library.

History Day is sponsored by the Archives and History Commission, Friends of Culture and History, Mining Your History Foundation, Preservation Alliance of West Virginia, Inc., West Virginia Association of Museums, West Virginia Historical Society, West Virginia

Humanities Council, and West Virginia Division of Culture and History.

For more information on the PAWV endangered properties announcement, contact Danielle LaPresta, dlapresta@pawv.org or (304) 345-6005. For information on other activities, contact West Virginia Archives and History at (304) 558-0230.

New Titles

History of the West Virginia Association Future Farmers of America: Supplement 1978–1983: FFA, 1983.

The Four-H Trail: W. H. Kendrick, 1926.

The Mine War, 1912–1913, Cabin Creek & Paint Creek: Commemorating the 100th Anniversary: Dale Payne, 2011.

A Touch of Charisma: A History of the 4-H Club Program in West Virginia: Guy H. Stewart, 1969.

Minerals in the Economy of West Virginia,1978 report: U.S. Dept. of the Interior

Minerals in the Economy of West Virginia,1979 report: U.S. Dept. of the Interior.

The Licensing of Professions in West Virginia: Frances Priscilla De Lancy, 1938.

History of the James River and Kanawha Company: Wayland Fuller Dunaway, 1969, c1922.

Enshrinees in the West Virginia Agricultural and Forestry Hall of Fame: Hall of Fame Foundation. 1993.

The Tariff in the Days of Henry Clay and Since: An Exhaustive Review of Our Tariff Legislation from 1812 to 1896: William McKinley, 1970, c1896. The American Railway: Its Construction, Development, Management and Appliances: 1972, c1888.

Tomorrow's Teachers: The Future Supply and Demand for West Virginia Teachers: 1998–2010: Arnie Margolin, 1998.

Witches, Ghosts and Signs: Folklore of the Southern Appalachians: Patrick W. Gainer, 2nd edition, 2008.

Wildflowers and Trees of West Virginia: Christopher M. Gatens and Emily Grafton, 2009.

That Dark and Bloody River: Allan W. Eckert, 1996, c1995.

Coalfield Jews: An Appalachian History: Deborah R. Weiner, 2006.

Legends of the Mountain State 3: More Ghostly Tales from the State of

West Virginia: Michael Knost, ed., 2009.

Hiking West Virginia: Steven Carroll and Mark Miller, 2003.

Genealogy Club

Archives and History Library

Every Thursday Evening 6:00-7:00 p.m.

Once a month, on the second Thursday, there will be a special program with a speaker. 6:00-7:30 p.m.

Barker to Discuss Bobby Kennedy's 1968 Campaign

Raamie Barker, leader of Robert F. Kennedy's 1968 campaign in Logan County, will speak on "Bobby Kennedy and West Virginia's 1968 Presidential Primary" in the Archives and History Library on February 23. The program will begin at 6:00 p.m. and is free and open to the public. Barker is a senior advisor to Governor Earl Ray Tomblin.

Calendar of Events

Please check our Web site (http://www.wvculture.org/history) for genealogical and historical society meeting announcements, and for more complete information on activities listed below.

UNCOMMON VERNACULAR: THE EARLY HOUSES OF JEFFERSON COUNTY, WV, 1735–1835 EXHIBIT, January 10–February 13: Culture Center, Charleston.

CONSERVING OUR TEXTILES EXHIBIT, February 1-April 30: North House Museum, Lewisburg.

"THE WAY WE WORKED," SMITHSONIAN INSTITUTION EXHIBITION TOUR, February 4–March 17: Carnegie Hall, Lewisburg.



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Please check our Web site (http://www.wvculture.org/history) for genealogical and historical society meeting announcements, and for more complete information on activities listed below.

"HIKING THROUGH HISTORY: VISITING KANAWHA VALLEY PLACES OF SIGNIFICANCE DURING THE BEGINNING OF THE CIVIL WAR,"

February 8: Doug Wood, Clay Center, Charleston.

PRESIDENTS DAY, February 20: Archives Library will be open.*

"QUILTS AND THE UNDERGROUND RAILROAD," February 21: Kate Quinn, speaker, Ohio County Public Library Lunch with Books, Wheeling.

HISTORY DAY AT THE WEST VIRGINIA LEGISLATURE,

February 23: Capitol Complex and Culture Center, Charleston.

"AFRICAN-AMERICAN ARCHAEOLOGY IN WEST VIRGINIA AND THE OHIO

VALLEY," February 23: Heather Kline, speaker, Grave Creek Mound Archaeological Complex, Moundsville.

FOURTH ANNUAL KANAWHA VALLEY HERITAGE FAIR, March 3:

Rand Community Center, Rand. Sponsored by Kanawha Valley History Center. Vendor registration deadline February 4; late registration February 11.

"WEST VIRGINIA: BIRTH OF A STATE," March 14: Dr. Billy Joe Peyton, speaker, Clay Center, Charleston.

"STUBBORN ADVOCATES: HOW SHEPHERDSTOWN CAME TO CARRY A TORCH FOR JAMES RUMSEY," March 29: Nick Blanton, speaker, Shepherdstown.

"LATE ARCHAIC SHELLFISH USE IN THE EAST STEUBENVILLE SITE," March 29: Lisa Dugas, speaker, Grave Creek Mound Archaeological Complex, Moundsville.

"TELLING A BIG STORY: PRESERVATION AND PUBLIC PRESENTATION OF THE MEADOWCROFT ROCKSHELTER," April 26: David Scofield, speaker, Grave Creek Mound Archaeological Complex, Moundsville.

"TOWN RUN: ECONOMIC HEARTBEAT OF EARLY SHEPHERDSTOWN,"
May 2: Dr. Keith Alexander, speaker, Shepherdstown.

PRIMARY ELECTION DAY, May 8: Archives Library will be closed.

MEMORIAL DAY, May 28: Archives Library will be closed.

WEST VIRGINIA DAY, June 20: Archives Library will be open.*

INDEPENDENCE DAY, July 4: Archives Library will be *closed*.

LABOR DAY, September 3: Archives Library will be closed.

*Only the Archives Library will be staffed—all other Archives offices will be closed.

The West Virginia Library Commission Library in the Culture Center is closed weekends and all holidays.

Archives and History NEWS

WE WOULD LOVE TO HEAR FROM YOU.

Let us know what you find helpful in the newsletter, and what new topics you would like covered. Contact *West Virginia Archives and History News* Editor Susan Scouras, (304) 558-0230, Ext. 742, or by e-mail: susan.c.scouras@wv.gov.

www.wvculture.org/history

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