The Newsletter of Virginia's Circuit Court Records Preservation Program • No. 3 • Fall 2017

# CCRP NEWS

LIBRARY OF VIRGINIA

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#### No. 3 • Fall 2017

This newsletter is published twice a year to keep circuit court clerks informed about the court records preservation program for the Commonwealth of Virginia. Reader participation is invited.

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### CCRP in the Field

FIELD ARCHIVIST "ROAD CREW" EXAMINES RECORDS IN CIRCUIT COURT OFFICES ACROSS THE COMMONWEALTH



ith the hiring of CCRP field archivists Tracy Harter and Eddie Woodward in the spring of 2016, there was a flurry of travel as they geared up for the upcoming grant cycle. Harter and Woodward, along with senior local records archivist Vince Brooks, CCRP program manager Greg Crawford, and Library of Virginia conservator Leslie Courtois, crisscrossed the commonwealth of Virginia examining record books for possible item conservation grants and assessing the overall conservation needs and preservation strategies of the localities. During their visits they attempted to examine as many books and other records as they could in order to create a backlog of items for future grant cycles. This approach paid off, creating a cushion of items in the conservation grant queue. This desire to get ahead on the condition reports, however, caused some of the other services and responsibilities that the CCRP staff offers to be put on hold; long-promised record room inventories, environmental assessments, and records transfers (to or from the Library of Virginia) were delayed because the archivists were consumed with making sure that each locality had its fair share of materials in the item conservation grant queue. With this backlog of condition reports in place, the team could then be more methodical with their travels and address the other needs of the localities. By late summer, CCRP personnel felt comfortable in resuming some of these other important tasks. After that, Harter, Woodward, Crawford, Brooks, and Courtois became even more familiar faces to selected clerks and staff members as they branched out to courthouses across the state performing these and other preservation and security activities and assessments.

As a result of these more in-depth visits, CCRP archivists and staff members explored the nooks and crannies of several courthouses where the second-tier records are sometimes stored. This *CCRP News* issue will explore the common, but neglected, court order book and its usefulness for research. Like the minute book, which was discussed in the last issue, the order book serves to chronicle the business of the court and the clerk's office,

but, generally speaking, offers its information in a more thoughtful and detailed format. CCRP field archivists frequently found these books, along with other rarely used (and sometimes misunderstood) record books, during their comprehensive inventories of the courthouses, such as those that were performed at the city of Bristol, and Carroll, Halifax, Northumberland, and Stafford counties. The expertise of Courtois, the Library's conservator, was sometimes called into action when performing environmental assessments, such as at Dinwiddie, Chesterfield, and Washington counties. Records transfers to and from the Library were completed, such as to the cities of Lynchburg and Chesapeake and to Montgomery and Buchanan counties. In Bristol and in Washington County, student interns from Emory & Henry College were guided by CCRP archivists as they commenced simple processing of judgments and other court records, providing easier access to the collections, while performing basic preservation that will help to ensure the longevity of those records. Of course, new participants to the CCRP grant program meant that the field archivists were on the road again examining books and records for item conservation grants. Some of the localities visited were Louisa, Grayson, and Henry counties.

These travels and site visits continue a long history of formal and informal courthouse surveys in Virginia. In previous issues of this newsletter, the travels of the first state archivist, Morgan P. Robinson, in the 1910s-1920s were noted, as were those of court records preservation pioneer Martha Woodroof Hiden in the 1920s-1950s. In this issue, the story of amateur courthouse surveyor and historian Elwood Vickers Street provides a unique glimpse into early 1940s Virginia courthouses, with a particular emphasis on the clerks he met in his travels. Street frequently took time to mention the conservation measures that were employed by clerks in collaboration with archivists at the Virginia State Library (now the Library of Virginia). That collaborative mission to preserve and make accessible the history of the commonwealth of Virginia continues today.

COVER: CCRP program manager Greg Crawford in the basement of the Halifax County Courthouse, June 27, 2017. PAGE 2: CCRP consulting archivist Tracy Harter in the basement of the Halifax County Courthouse, June 27, 2017. TOP: Senior Local Records archivist Vince Brooks in the basement of the Halifax County Courthouse, June 27, 2017. MIDDLE: Greg Crawford with circuit court clerk Kate Spry in the records room of the Cumberland County Courthouse, March 8, 2017. BOTTOM: Vince Brooks in front of the Buchanan County Courthouse, August 15, 2017.



#### **REBINDING VS. ENCAPSULATION** Minimizing treatment helps maintain records' integrity

wo of the most basic tenets in document conservation are the theories of minimalist intervention and reversible methods. The minimalist approach dictates that when treating historic or archival materials, it is important that the integrity of the item is preserved or at least retained as much as possible. In effect, this philosophy translates to "do no harm." If conservation treatment must be performed, it is important that whatever is done can be reversed or eliminated so that the item can be returned to its unadulterated and original form. In a nutshell, if an item does not need conservation treatment, it should not be performed. If an item needs treatment, it should receive as little as is warranted, with care to make sure that it can be undone in the future if desired.

These practices hold true for all archival collections, including the permanent/historic records in circuit court clerks' offices. Obviously, court records sometimes need conservation work. It is important, however, to make sure that the records receive the minimum amount necessary and are not *over-treated*. This is especially true for record book conservation, particularly when pages are to be encapsulated and post bound, rather than receiving a less extreme treatment, such as rebinding or tab-sewing.

Encapsulation is the process in which a document is inserted into a transparent archival polyester sleeve. Encapsulation itself is not problematic. There are many instances where it is the proper form of treatment, such as a book that has been laminated, pages that are truly brittle or have been weakened with a lot of tape or adhesive that had to be removed, or an item with numerous tears that required a lot of mending.

Encapsulation offers extra physical protection to a document, and the encapsulation of the page is completely reversible. Encapsulating the pages in a book, however, involves what might be considered extreme measures that will do irreparable damage to the integrity and aesthetic quality of the book itself and, therefore, should not be taken lightly. First of all, if a book is going to be "deacidified, encapsulated, and post bound" (meaning that each single page will be sleeved in archival polyester), the pages will need to be cut so that they are detached from the binding and/or from the individual signatures. Unfortunately, once this happens, the physical structure of the book is irreparably altered. With the pages of the book encapsulated, the book retains its functionality, but it becomes what might be considered a usable display item—the integrity and the historical and aesthetic nature of the book are lost forever. As many circuit court clerks and their staff members have learned, encapsulating each page in a book frequently doubles its size, turning single volumes into two parts or two books. This usually requires record books to be shifted within the roller shelving to accommodate the new two-part version—or, worse, that the two parts of the book end up shelved in separate locations.

Ideally, if a book has only one or two problems, but is otherwise completely functional, one should think long and hard before sending it in for conservation treatment. If a volume has a detached spine, red rot, or a couple of loose leaves or signatures, it does not necessarily need to be "deacidified, encapsulated, and post bound." For these common problems, a more simple solution might be to rebind or tab-sew, which would at least keep the signatures intact. Tab-sewing is not necessarily a cost-saving measure, but it can help to preserve the integrity of the books in a circuit court collection. In most instances, if the book has only one or two problems, leave it be (*and do no harm*).

LEFT: Tab-sewn Middlesex County Superior Court Order Book, 1825-1831. RIGHT: Encapsulated Middlesex County Court Minutes, 1827-1828. Both books were conserved with CCRP item conservation grants. The photographs were taken by CCRP staff members during an inspection of conserved materials at the Kofile Technologies facility in Greensboro, North Carolina, on August 9, 2017.



# The Books in the Basement

he term "books in the basement" is a metaphor for the city and county court record books that are considered to be of less value to researchers. It is almost too literal to be a metaphor, however, as very often these books actually are relegated to the basement (or a broom closet or evidence room) because researchers rarely seek them and few know what can be found in them. In fact, it is not uncommon for CCRP consulting archivists visiting a courthouse in preparation for an upcoming grant cycle to never see the books in these out-of-the-way locations, because staff members might be unaware of their existence, think that these books are not eligible for grants, or think that the archivist wouldn't want to see them.

On the contrary, these records offer a wealth of information on the history of the locality and the people who lived there. There

is a wide and complex variety of these second-tier records, some of which are common to all localities, while others are completely unique to a region or a single city or county.

A common record book that can be found in every city and county clerk's office (providing that they survived) is the court order book. As was mentioned in the previous issue, minute books were the rough source books for the creation of court order books. The minute book recorded every decision made in the courts and every transaction that occurred in the clerk's office. These entries include anything from the recording of wills and deeds to the appointments of militia officers and local officials to the establishment of schools and roads, and everything in between. After these entries in the minute book were approved by one of the justices, they were officially transcribed into the order book (variously titled "Court Orders," "Orders," or any



amount of legwork necessary for the modern-day researcher. When indexing records today, we try to anticipate the path that a researcher might take. In this way, we might assign key words or descriptors to entries that would make the work a little easier for researchers. Back in the day, however, clerks were probably not thinking about how researchers would use the records for social, cultural, and local history; the clerks were probably just interested in access to the names. Without archival description or cataloging, order books can help researchers access and navigate the voluminous records in a locality's collection.

The entries in the order book provide a summary of the court case or clerk's transaction, indicating the "who, what, when, and where." In a perfect world, the order book will have an internal index with the names of those who had business in the courthouse or clerk's

> office. Each city or county order book will have varying levels of description for how to access additional information. Depending on the customs or idiosyncrasies of the particular clerk's office, the information might provide the researcher with the actual case file number, plat, or instrument number, or a volume and page number in the associated book. In other instances, the researcher will have to find the book, box, or drawer in the record group closest to the date and then follow the paper trail.

> As with minute books, the research value of order books grows with the loss of other records. For example, if an estate settlement, will, or whatever the order book entry pertains to did not survive, the order book might be the only resource for that information. If that is the case, the conservation of order books, minute books, and other second-tier records becomes all the more important, because they offer the only official documentation of the case or transaction, no matter how brief it may be. These record books help to

number of creative names). Whereas the minute book might have been only a brief synopsis of a decision or transaction, the final version in the order book could be more elaborate and detailed. Like their source, minute books, these volumes cover a wide variety of genealogy and local history subject matter.

Not only was the order book the master log of courthouse events and clerk's transactions, but it could also serve as a de facto index to the court records. The level of indexing will dictate the extra document more fully the history of the locality and its people by adding extra layers and texture to the historical narrative. They also help to fill in the gaps between deed books, will books, and other vital statistics. They should not be neglected.

If your courthouse has order books, minute books, or other books in the basement that are in need of conservation, please make sure to point them out to the CCRP archivist the next time one of them visits to inspect books for CCRP item conservation grants. ■ here are few historical resources available to researchers that are richer in social, cultural, and local history than Virginia's city and

county court records. As mentioned in a previous

issue of the CCRP News, before local centralized

governmentaw hraset-4.14(a)6.95(b)12.25(l)301(i)10.58(s)-.3 (vh) (e)-326 (d)31.9 (c,. (a).9)-19 (a)13.3 (r)1. (h)3 (a).919.52(o)-10

### CONSERVATION

Basic processing does wonders for loose records

B asic processing not only preserves records, it also makes them easier for staff and researchers to access and use. Processing also saves on the wear and tear that can occur when the records are requested because the researcher needs to see what type of information the records contain. Good descriptive finding aids help to preserve records, because researchers are less apt to request items that they know they won't need.

The two basic tenets of archival theory are provenance and original order. Provenance means that records created by the same entity should be grouped together and remain together. Original order means that the records should be kept in the same order they held when they were created. Original order maintains the context and relationship that the records have to one another. If no order can be discerned, then the processing archivist can impose a logical order, such as chronological, by record type, or by department, etc. When imposing an artificial order, it is important to maintain provenance and a natural arrangement within that specific entity. Become familiar with the order of the record group prior to performing the basic preservation associated with processing.

#### Basic preservation involves flattening, removing clasps, and then filing and storing in archival-quality containers.

- Flattening, or "flat filing," makes the records easier to access and read, and saves on wear and tear from repeatedly unfolding and refolding.
- When flattening, take into consideration the condition of the records. If they are paper documents, brittle or chipping paper should be handled with extreme care.
- Once the document is flattened remove all rubber bands, staples, pins, grommets, paper clips, and other clasps and fasteners. Use a paper folder (sometimes referred to as paper inserts) to keep documents that had been clasped together in a group.
- Make a list of any special conservation issues that need to be addressed such as tears/ rips, crumpled paper, or other damage.
- If active mold is found on any of the documents, contact your locality's CCRP consulting archivist.
- Folder the documents, including the paper (insert) folders into an archival-quality (acid-free) folder. Make sure that the documents fit squarely into the folder and that their edges are not hanging outside the folder. Expand the folder at the scores at the bottom if needed, but take care not to overfill. Continue in another folder if necessary, documenting their connection to one another (such as, "Folder 1 of 3," "Folder 2 of 3," and "Folder 3 of 3.").
- Follow the prescribed folder arrangement system outlined in the CCRP processing manual.
- Use pencil only to label folders (never pens).
- Place folders into archival quality containers/boxes (usually Hollinger boxes).
- Create a container list for easier access. The container list should indicate the record group and have the appropriate range in that particular box, such as a date range, case numbers, etc. Boxes should be numbered sequentially, dependent on the range in each box.
- Use pencil only to label boxes.





TOP: Intern Elizabeth Rankin, a senior at Emory & Henry College, processes judgments and criminal causes at the Washington County Courthouse, May 31, 2017. BOTTOM: Intern Cheyenne Campbell, a senior at Emory & Henry College, processes criminal causes at the Bristol City Courthouse, February 21, 2017.

## "Wellsprings of Democracy"

VIRGINIA COURTHOUSE VISITS CHRONICLED BY RICHMOND SOCIAL WORKER ELWOOD VICKERS STREET

ver the years, formal and informal surveys of the circuit court clerks' offices across the commonwealth of Virginia have been performed by various people for a variety of reasons. Some are more well-known than others, such as those performed by state archivist Morgan P. Robinson in the 1910s-1920s and, later, by local records archivist Connis Brown in the early 1970s. A more informal survey was performed by Richmond social worker Elwood Vickers Street (1890-1978). In 1941 and 1942, Street wrote a regular column chronicling his courthouse visits, which was published in Sunday editions of the *Richmond Times-Dispatch*. The series. entitled "Wellsprings of Democracy in Virginia," spoke to the historical significance of the locality that he was surveying, with an emphasis on the public buildings and, in particular, the courthouse and the status of its records.

Exactly what prompted Street to write these lengthy essays is unknown. The Cleveland, Ohio, native had only been in Virginia for a couple of years when he began documenting his courthouse visits. Street was a competent writer and a regular contributor to the *Times-Dispatch*, where his articles usually covered social and philanthropic issues. In September 1942, after 54 courthouse surveys, he was forced to abandon his trips, citing wartime tire and gas rationing, as well as work pressures that limited his free time for travel. When he resigned his position in 1943, Street was the director of both the Richmond War and Community Fund and the Richmond Community Council.

We are fortunate to have his contribution to the history of the courthouses, the circuit court clerks' offices, and the maintenance of the court records. He routinely noted the ongoing preservation efforts at the courthouses he visited, such as a visit to the Dinwiddie County clerk's office, where he mentioned a 1784–1791 common law order book that had been removed and defaced by a Union solder during the Civil War. After it was returned to the courthouse, the volume was "handsomely restored by the Colonel John Banister Chapter of the Daughters of the American Revolution of Petersburg."<sup>1</sup>

Street didn't mind commenting on the clerks themselves, as he did on his visit to the Middlesex County Courthouse,



where he described the "light-haired, thin-faced, blue-eyed" county clerk C. W. Eastman, who sat behind his desk in the west end of the record room, "with a constantly filled cigarette holder." Eastman noted that the records dated from 1675, and that the older ones had "been restored at the State Library" and were being stored "there for safekeeping." With those volumes retired, Eastman offered "photostatic copies" for use by the public in the records room.<sup>2</sup>

Albemarle County circuit court clerk Eva W. Maupin was described as "one of Virginia's few women county clerks." She showed Street a 1744–1748 order book that had been "beautifully restored and heavily bound in canvas at the State Library in Richmond." The clerk boasted that they spent \$500 to \$600 annually to have their "old record books restored." <sup>3</sup>

With a "high forehead, gray hair, brown eyes, and goldrimmed glasses," Henrico County circuit court clerk M. W. Puller led Street down a "hall, lined with old records books and roller shelves and steel voucher files, to the high ceilinged record room," which took up the back of the 1896 courthouse. The clerk showed Street some 1780s record books, but noted that the "pre-Revolutionary" books had been removed to the State Library in 1919.<sup>4</sup>

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<sup>&</sup>lt;sup>1</sup> Elwood Street, "History Rolls Over Dinwiddie," *Richmond Times-Dispatch,* May 24, 1942.

If the records were transferred to the Library of Virginia, researchers might seek out the archivist who oversaw the accessioning and/ or processing once the records arrived. It's no secret, however,

### The Circuit Court Records Preservation Program by the Numbers: JUNE 1, 2016–AUGUST 31, 2017

#### EXTERNAL CCRP PROGRAM

CCRP staff members visited circuit court clerks' offices around the commonwealth to perform condition reports on items eligible for Item Conservation grants; to inventory records stored in offices; to perform environmental assessments; to train interns and volunteers to process, index, and conserve records; and to consult on grant opportunities.

Site visits: 129 Total number of localities visited: 86 Items Examined: 976 Items inventoried: 11,447

The Circuit Court Records Preservation Grants Review Board met on January 18, 2016, and August 24, 2017, to consider 160 applications submitted from **83 localities** totaling **\$2,876,183.35**. The grant review board evaluated and discussed all of the applications, and awarded **158 grant projects** for **\$1,100,394.30** in the following categories:

Item Conservation: 154 projects (349 items) Reformatting: 1 project Storage: 2 projects

CCRP staff members made six visits to the conservation vendor and inspected **371** items conserved with CCRP grant funds and locality funds.

### CCRP PROGRAM ONLINE RESOURCE

Digital collections of circuit court records are accessible to the public online at the Library of Virginia's **Virginia Memory** website (www.virginiamemory.com). They include:

- Lost Records Localities Digital Collection (www.virginiamemory.com/collections/lost)
- Virginia Untold: The African American Narrative (www.virginiamemory.com/collections/aan)
- Chancery Records Index
  (www.virginiamemory.com/collections/chancery)

#### **INTERNAL CCRP PROGRAM**

Circuit courts continue to transfer pre-1913 records (primarily chancery causes) to the Library of Virginia for processing, indexing, conservation, and storage. The records are preserved in optimal environmental conditions and are made accessible to the public in a secure manner. The Library currently stores more than **25,000 cubic feet** of circuit court records. Professional archival staff members process and index chancery records and process other circuit court records of historical and genealogical value housed at the Library. Staff members flat file, folder, conserve, index, and re-box materials, incorporating in-depth arrangement and description of court records with strong research potential.

Original circuit court records stored at the Library of Virginia continue to be highly requested for research by the public in our secure Manuscripts Reading Room. CCRP archival staff members generate greater awareness of the historical and genealogical value of circuit court records by making them available via:

- Catalog Records (www.lva.virginia.gov)
- Electronic Finding Aids (http://vaheritage.org)
- "Out of the Box" blog (www.virginiamemory.com/blogs/out\_of\_the\_box)

Records transferred to Library: 254 boxes, 212 items Total number of Hollinger boxes examined/processed: 671 Chancery causes indexed and entered: 4,922 Items mended: 6,741 Original records requested at the Library by public: 1,368 (an average of 97 items per month)

In addition, microfilm reels of circuit court records and digital images of chancery causes are stored at the Library of Virginia. Currently, more than **250,000** microfilm reels and over **20,000,000** digital chancery images are stored at the Library. The Imaging Services staff continues to provide services to the localities, such as providing photo prints of missing pages, inspecting microfilm and digital chancery images, retrieving microforms upon request, and delivering microfilm to vendors for duplication. Other services include maintaining the security microforms in the media vault; receiving, inspecting, storing, and maintaining the media; performing selected runs of microfilm duplication at a cost; and printing microform inventory printouts as needed.

Digital chancery images scanned: 602,147 Digital chancery images inspected: 50,240 Chancery Records Index Search page visits: 168,664 (+8.42%) Chancery Records Index Search page views: 1,237,431 (+12.10%) Total indexes available on the Chancery Records Index: 94 Total images available on the Chancery Records Index: 10,125,655

### CCRP GRANTS REVIEW BOARD AWARDS FUNDING

he Circuit Court Records Preservation Program Grant Review Board met on August 24, 2017, at the Library of Virginia to consider records preservation grant requests from circuit courts across the commonwealth. Six members compose the board—four circuit court clerks (appointed annually by the president of the Virginia Court Clerks' Association) and two staff members from the Library of Virginia (currently the State Archivist and the Deputy of Collections and Programs). Members meet once a year to evaluate proposals. Clerks of the circuit courts apply for funds to conserve, secure, and increase access to circuit court records. A total of 80 applications were submitted from 79 localities with requests totaling \$1,090,554.15. After careful evaluation and discussion of all applications, the board approved 79 grant projects totaling nearly \$850,000 (CCRP Grant Awards FY2018). Seventy-seven of the approved applications covered professional conservation treatment for items including deed books, will books, order books, surveyor books, minute books, and plat books housed in circuit court clerks' offices that had been damaged by use, age, or previous nonprofessional repairs. The remaining two grants were for storage projects.

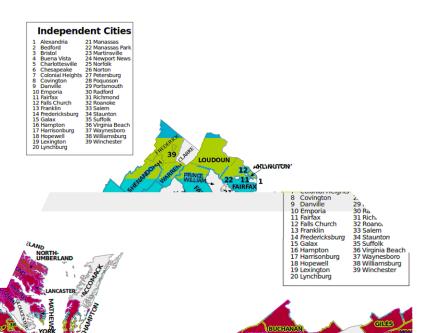
The CCRP is administrated as part of the Library of Virginia's Government Records Division. Funded through \$1.50 from the circuit court clerk's land instrument recordation fee, the CCRP provides resources to help preserve and make accessible permanent circuit court records. The program awards grants to the Commonwealth of Virginia's circuit court clerks to help address the preservation, security, and access needs of the records housed in their custody. Since 1992, the CCRP has awarded over 1,500 preservation grants for nearly \$21 million dollars.

—Greg Crawford, Local Records Program Manager Reprinted from the Library of Virginia's Out of the Box blog, September 21, 2017

TRANKLIN







#### Virginia Circuit Court Records Preservation Grant Program 2017 GRANT CYCLE AWARDS

	Item Conservation	
	Item Conservation	
lington County	Item Conservation	\$14,878.5
Jgusta County	Storage	\$1,708.0
Jgusta County	Item Conservation	\$11,918.0
ath County	Item Conservation	\$23,852.0
edford County	Item Conservation	\$15,582.0
ristol City	Item Conservation	
	Item Conservation	
anville City	Item Conservation	¢13,104.0 ¢13,1104.0
	Item Conservation	
uquier County	Item Conservation	\$16,769.0
uvanna County	Item Conservation	\$8.463.0
	Item Conservation	
edericksburg City	Item Conservation	\$15.301.0
	Item Conservation	
	Item Conservation	
	Item Conservation	
eene County	Item Conservation	
eensville County	Item Conservation	\$17,795.0
lifax County	Item Conservation	\$15,788.0
Impton City	Item Conservation	\$11,786.2
nover County	Item Conservation	
	Item Conservation	
nry County	Item Conservation	
ghland County	Item Conservation	
e of Wight County	Item Conservation	
ng and Queen County	Item Conservation	\$10,849.0
ng George County	Item Conservation	\$15,238.0
ng William County	Item Conservation	\$21,971.0
	Item Conservation	
	Storage	
	Item Conservation	
the second county		\$16,6/5
	Item Conservation	
	Item Conservation	
matan County	Item Conservation	
acki County		
	Item Conservation	
	Item Conservation	
kingham County	Item Conservation	
	Item Conservation	
	Item Conservation	
with County	Item Conservation	\$20,899. \$12,026
ithampton County	Item Conservation	¢17.290
otsylvania County	Item Conservation	\$16.274
fford County	Item Conservation	\$22 880
folk City	Item Conservation	¢16,416
	Item Conservation	
rewell County	Item Conservation	¢1/,01/.5 ¢1/,711
rinia Reach City	Item Conservation	\$14,711. \$12,026
gina Deach City	Item Conservation	
	Item Conservation	
	Item Conservation	