

A Guide to the Warren County (Va.) Chancery Causes, 1837-1948

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Profile Description

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Language Usage: Description is in English

Descriptive Summary

Language

English

Collector

Warren County (Va.) Circuit Court

Physical Characteristics

72.85 cubic feet (161 boxes); Digital images

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

There are no restrictions.

Use Restrictions

Chancery Causes, 1837-1912 digital images can be found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Chancery Causes, 1913-1948, are indexed but not digitized. Index information can be found on the [Chancery Records Index](#) Contact Archives Research Services for availability of original records.

Acquisition Information

These records came to the Library of Virginia in a transfer of court papers from Warren County (Va.) in 1999 under the accession number 37017. Additional records were transferred to the Library of Virginia under an undated accession.

Processing Information

These records were processed prior to 2017.

Encoded by G. Crawford: 2018; Updated by E. Swain: December 2024.

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Adjunct Descriptive Data

Related Material

Additional Warren County Court Records can be found on microfilm at The Library of Virginia. See [A Guide to Virginia County and City Records on Microfilm](#)

See also: [Warren County \(Va.\) Circuit Superior Court of Law and Chancery Records.](#)

See also: [Frederick County \(Va.\) Chancery Causes.](#)

See also: [Shenandoah County \(Va.\) Chancery Causes.](#)

Historical Information

Context of Record type: Chancery Causes are cases of equity. According to Black's Law Dictionary they are "administered according to fairness as contrasted with the strictly formulated rules of common law." A judge, not a jury, determines the outcome of the case; however, the judge is basing the decision on findings compiled and documented by Commissioners. Chancery causes are useful when researching local history, genealogical information, and land or estate divisions. They are a valuable source of local, state, social, and legal history and serve as a primary source for understanding a locality's history. Chancery causes document the lived experiences of free and enslaved individuals; women; children; people living with physical disabilities or mental health struggles; people living in poverty; defunct institutions and corporate entities; or those that may not have otherwise left traditional written histories.

Locality History: Warren County was named for Joseph Warren, of Massachusetts, the Revolutionary patriot who sent Paul Revere and William Dawes on their famous rides and who was killed at the Battle of Bunker Hill. The county was formed from Shenandoah and Frederick Counties in 1836. The county seat is Front Royal.

Scope and Content

Warren County (Va.) Chancery Causes, 1837-1948, consists of cases concerning issues of equity brought largely by residents of the county and filed in the circuit court. These cases often involve the following actions: divisions of estates or land, disputes over wills, disputes regarding contracts, debt, divorce, and business disputes. Other less prevalent issues include freedom suits, permissions to sell property, and disputes concerning trespass. Predominant documents found in these chancery causes include bills (documents the plaintiff's complaint), answers (defendant's response to the plaintiff's complaint), decrees (court's decision), depositions, affidavits, correspondence, lists of heirs, deeds, plats, wills, records involving enslaved individuals, business records or vital statistics.

Arrangement

Organized by case, of which each is assigned a unique index number comprised of the latest year found in case and a sequentially increasing 3-digit number assigned by the processor as cases for that year are

found. Arranged chronologically.

Arrangement of documents within each folder are as follows: Bill, Answer, and Final Decree (if found).

Selected Causes of Interest

Causes of Interest are identified by local records archivists during processing and indexing. These causes are generally selected based upon guiding principles of having historical, genealogical or sensational significance; however, determining what is "of interest" is subjective, and the individual perspective and experience of the describing archivist will affect the material identified.

1837-001: William Hansbrough vs. Peter Hansbrough, etc.:

Scope and Content

Dispute among members of the Hansbrough family over the control of enslaved people. Dispute originated in 1789 with the sale of Nan, a 13 year old enslaved girl. Cause lists the names of her descendants who were at the center of the dispute almost 50 years after the sale of Nan. The cause references the migration of Hansbrough family members to Kentucky.

1841-006: Presly Hansbrough vs. James Sinclair:

Scope and Content

Cause includes receipt for medical services rendered to people enslaved by Sinclair. Services included extracting teeth, bleeding, and an abortion.

1845-006: John J. Johnston vs. William A. Mitchell, etc.:

Scope and Content

Plaintiff accused one of the defendants, James C. Mitchell, of secretly carrying enslaved people from Fauquier County to Washington, D.C. in the cover of night and sold them to Joseph Bruin, a "slave trader." Mitchell did so in order to avoid repaying a debt owed to Johnston.

1846-010: Admr. of William Hopewell vs. David, an enslaved person, etc.:

Scope and Content

The deceased, William Hopewell, wrote in his will that the people he enslaved were to be emancipated, hired out, and the wages they received to fund their transportation to Liberia. However, several enslaved people wanted to remain in the Virginia and keep the wages they earned from being hired out. The enslaved peoples' desires made it difficult for the administrator to carry out Hopewell's will. He wanted the court's assistance in the matter.

1850-001: Duskin, an enslaved person vs. Admr. of Henry Self, etc.:

Scope and Content

Duskin, an enslaved person, was emancipated by the will of Henry Self. In the will, Self left a legacy worth \$3000 to Duskin to assist in purchasing property in Ohio, Indiana, or Illinois where he would reside. Duskin had yet to receive his legacy. He sued to recover it. The will records additional names of enslaved people who were to be emancipated and removed to Ohio, Indiana, or Illinois.

1850-007: Gdn. of James R. Ash vs. James R. Ash, etc.:

Scope and Content

At the center of the cause is Tom, an enslaved man, who fled from his enslaver. Tom was captured in Bedford, Pennsylvania and jailed in Winchester, Virginia. The plaintiff wanted to recover his expenses in the recovery and sale of Tom. The suit includes exhibits related to the recovery and sale of Tom.

1855-002: Virginia V. Hicks by etc. vs. Thomas K. Hicks:

Scope and Content

Divorce cause. Husband had an ongoing affair with a "mulatto" enslaved woman he hired from James Ash. Hicks had a child by the man.

1859-003: John R.C. Reed vs. Admr. of Mary Shambaugh, etc.:

Scope and Content

Reed, a free Black man, sued to receive the portion of Shambaugh's estate left to him and his children (Jacob, Jonas, and Sarah Reed) in Shambaugh's will. Reed needed it in order to purchase property in a free state for his family to live on. According to Virginia law, Reed had to leave the commonwealth within one year of his emancipation. A copy of Reed's free registration included in cause as an exhibit [See also: Warren County chancery causes 1839-006 and 1880-007].

1861-003: Sarah F. Jennings, etc. vs. Exrs. of William Lewin, etc.:

Scope and Content

In his will, William Lewin offers David Mitchell, a free person, to purchase Mitchell's wife Nancy and youngest child, both enslaved, at an appraised value of 500 dollars.

1866-001: George Nave vs. Sarah Nave:

Scope and Content

Divorce cause. Defendant had an affair while plaintiff served in the Confederate army.

1870-004: Elizabeth A. Richardson vs. Charles T. Weston

Abraham Forney vs. Charles T. Weston:

Scope and Content

Cause originated out of Union control and destruction of large flour mill in Warren County. Numerous references to Union occupation and impact on the region. Union troops under Brigadier General James Shields used counterfeit Confederate money to purchase flour. The manager of the mill recognized it as counterfeit and refused to take it. He was forced to take it under threat of violence.

1880-007: Exr. of Margaret Shambaugh vs. William F.N. Houser, etc.:

Scope and Content

Several defendants are formerly enslaved people of sisters Margaret and Mary Shambaugh. In the Shambaugh wills, they left financial legacies to the people they enslaved. The plaintiff wants the court's guidance on how to proceed now that they are no longer enslaved. The enslaved people have following surnames: Reid (or Reed) and Jackson.

1881-006: William S. Morgan and wife, etc. vs. John T. Lovell, etc.:

Scope and Content

Mary Ann Morgan, wife of William Morgan, and her daughter Elizabeth Gilkinson were the wife and daughter of Gabriel Gilkinson, a free Black man, who died in the mid-1850's. Mary Ann Gilkinson, Gabriel's wife, remarried a man named William Morgan and moved to Iowa. The plaintiffs are seeking to recover their legacy from their deceased husband and father's estate in Virginia [See also: Warren County Chancery Cause 1872-003].

1885-016: John N. Buck, etc. vs. Thomas L. Blakemore and wife, etc.:

Scope and Content

A business dissolution suit that involves the partners, Ricards, Buck, and Blakemore, who purchased the property, built, and operated the Mountain House Hotel located at Capon Springs in present-day Hampshire County, West Virginia.

1898-009: S.S. Turner, trst., etc. vs. J.H. Brenaman, etc.:

Scope and Content

Cause relates to "boom town" period of 1890's Virginia. One of the deponents, Dr. Stephen Hansburger, was editor of a Front Royal newspaper who heavily promoted "boom town" concept in Front Royal.

1901-026: Richard McCoy and wife, etc. vs. Northwestern Mutual Life Insurance Co., etc.:

Scope and Content

Plaintiffs purchased a life insurance policy based on the Tontine investment plan. Includes a 1900 map of Alabama.

1901-027: Winchester Telephone Co. vs. Southern Railway Co.:

Scope and Content

The defendant challenged the plaintiff's right to string telephone wires across its rail lines near Front Royal. The defendant ripped down the wires and threatened to tear down the telephone poles. The rail company claimed the right of way extended to the air above their rails. The plaintiff challenged this argument saying it had "the same undisputed right to maintain and use them there, and with no more use of any right of the R.R. Co. than the buzzards make, who fly high above the R.R. tracks."

1902-030: Tom Lee vs. Moy Sing Lee:

Scope and Content

Plaintiff and defendant are Japanese. Tom Lee purchased a laundry business located in Front Royal from Moy Sing Lee for 350 dollars. The cause includes the agreement written in Japanese.

1906-006: Virginia Bridge and Iron Co. vs. S.J. Bryan, etc.:

Scope and Content

Defendant was an agent for a labor union called the International Association of Bridge and Structural Iron Workers. The plaintiff accused him of stirring up dissension among the workers preventing them from building a bridge across the Shenandoah River.

1906-007: Nellie S. Cone vs. Raymond J. Cone:

Scope and Content

Divorce. The plaintiff accused her husband of committing adultery with sex workers while attending the Peace Jubilee parade in Washington, D.C. The Peace Jubilee was a celebration of the end of the Spanish-American War.

1910-002: C. F. Sumption, etc. vs. Welton W. Beaty

1911-002: W.W. Beaty vs. C.F. Sumption, etc.:

Scope and Content

Dispute over burial property. According to a deed creating a burial plot near Front Royal known as the "Old Grave-yard" recorded in 1857, it was to be used only as cemetery. The defendant Beaty purchased the property and built a warehouse on it in violation of the terms of the original deed. The causes include names of individuals and families buried in the "Old Grave-yard" including Isaac Trout, Dr. George Carter's heirs, Bush Keeler's heirs, Inman H. Thompson, Berryman Jones, and John Bennett, Sr. The causes reference the creation of a second cemetery known as "Prospect Hill" because no more space was available at the "Old Grave-yard." The causes include depositions with detailed testimony concerning the two cemeteries. One deponent was asked if a road currently under construction would go over any graves found in the "Old Grave-yard." His response: "I know it runs over old Mrs. Hope, I know that very well, right in the middle of it. I was there at the burying." He listed the graves of other individuals threatened by the road. It also includes a plat showing where the "Old Grave-yard" was located.

1910-003: Trst(s) of Front Royal School District Number Five vs. William R. Buck, trst., etc.:

Scope and Content

Cause involves the sale of a public school building. Four fraternal organizations leased the third floor of the public school building. The purpose of the suit was to protect the interests of the fraternal organizations. A broadside advertising the sale included in suit.

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