

A Guide to the Campbell County (Va.) Chancery Causes, 1794-1946 (bulk 1870-1912)

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History

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Revision Description

2013-11-21 Converted to schema conforming EAD by dtd2schema.vh.xsl.

Descriptive Summary

Language

English

Collector

Campbell County (Va.) Circuit Court.

Physical Characteristics

Digital images; 73.46 cubic feet (163 boxes)

Location

State Record Center Archival Annex

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Chancery Causes 1794-1914 use digital images found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Chancery Causes 1915-1946 are processed and indexed information is available on the Chancery Records Index, but digital images are not available at this time. Contact Archives Research Services for availability.

Use Restrictions

There are no restrictions.

Acquisition Information

The bulk of these records came to the Library of Virginia in a transfer of court papers from Campbell County (Va.) in 2004 under the accession number 41133. Additional records were transferred to the Library in 2004 under the accession number 41338.

Processing Information

Campbell County (Va.) Chancery Causes 1794-1946 were processed by J. Robinson in 2005. Additional chancery causes were processed by B. Helms in 2008 and interfiled with existing chancery causes.

Digital images for Chancery Causes 1794-1914 were generated by Crowley Micrographics through the Library of Virginia's Circuit Court Records Preservation Program in 2008.

Encoded by V. Brooks: June 2007; updated by C. Collins: August 2023.

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Adjunct Descriptive Data

Related Material

Additional unindexed post-1913 records may be available at the Campbell County Circuit Court Clerk's Office.

Additional Campbell County Court Records can be found on microfilm at The Library of Virginia web site.

Consult [A Guide to Virginia County and City Records on Microfilm](#).

Historical Information

Context for 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: Campbell County was named for William Campbell, a general in the militia during the Revolutionary War and one of the heroes of the Battle of Kings Mountain in 1780. The county was formed from Bedford County by an act passed on 15 December 1781. The county court first met on 7 February 1782. The county seat is Rustburg.

Scope and Content

Campbell County (Va.) Chancery Causes, 1794-1946, 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.

Chancery causes that ended before 1865, as well as some that ended afterwards, may contain information

related to free and enslaved Black and multiracial individuals. However, these cases largely represent the perspective of white enslavers and their disputes involving the sale, hiring, financial responsibilities, and legality of ownership of Black individuals. Under the system of chattel slavery, laws permitted enslavers to treat enslaved people as personal possessions in the same manner as livestock, farm equipment, or household items.

Commonly found surnames among the plaintiffs and defendants include Adams, Alexander, Armistead, Bailey, Brooks, Brown, Burton, Callahan, Callaway (also spelled Calloway), Christian, Clark, Clay, Clement, Davis, Depriest, Edmunds, Elliott, Epperson, Evans, Finch, Ford, Foster, Franklin, Frazier (also spelled Frazer), Gilliam, Haden, Hamlet, Hancock, Harvey, Herndon, Holt, Hughes, Hunter, Jenkins, Jennings, Johnson, Jones, Jordan, Lee, Lynch, Marshall, Martin, Mason, Mathews, McKinney, Miller, Moon, Moore, Moorman, Morris, Murrell, Nowlin, Pannill, Payne, Perkins, Perrow, Reid, Robinson, Rosser, Rucker, Scott, Smith, Talbot, Tanner, Thompson, Walker, Walton, Ward, Williams, Wimbish (also spelled Wimbush), Withers, Wood, Wright, and Yuille. There are seven suits in which the Seminole Securities Company is the primary defendant.

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 generally as follows: Bill, Answer, and Final Decree (if found.)

Selected Suits 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.

1836-015: Silvey Wright vs. Admr. of Robert Wright:

Scope and Content

This suit involves a dispute surrounding the estate of Robert Wright, a Black man. Wright possessed some property - including enslaved people - in Campbell County that he inherited from Thomas Wright, his enslaver and biological father. Silvey (also spelled Sylva and Sylvia), Robert's mother, was a free woman of color who, at one time, was enslaved by Thomas Wright. She lived with him as his wife, though whether this occurred before or after her emancipation is unclear. She sued the administrator of Robert's estate for monetary support. See also Lynchburg (Va.) Chancery Causes 1825-027 and 1873-014, which involve the families of Thomas Wright and Robert Wright. Thomas Wright's family claimed that Robert was never officially freed by Thomas and was therefore unable to legally inherit property.

1837-007: Tony~, etc. vs. Admr. of Thomas Ford, etc.:

Scope and Content

Tony, Harry, Tom, Jesse, Rilente (alias Ryland), Shadrach, George, Ben, Sall, Fran (alias Fanny), Lucy, Morning, Becky (also spelled Beckky), Nelson, Sary, and Daniel, formerly enslaved by Thomas Ford, sued the administrator Ford's estate to recover the inheritance left them by Ford. After emancipating them in his will, Ford bequeathed them money for their removal to a free state and their support during the transition. Most of the plaintiffs moved to Ohio. According to the answer of Ford's administrator, Rilente (alias Ryland) petitioned the court, and obtained leave, to remain in Virginia; Tony and Harry also stayed in Virginia.

1842-003: Alexander S. Henry vs. John Henry, etc.:

Scope and Content

This suit involves the sale of Shady Grove house, built in 1825 on land inherited by Paulina Cabell Henry, the wife of Alexander Spotswood Henry, from George Cabell, her father. Enslaved persons belonging to the Henry family were also sold. The descendants of Patrick Henry are plaintiffs and defendants in the suit.

1852-017: Louisa Alexander, etc. vs. John P. White, etc.:

Scope and Content

Louisa Alexander, an enslaved woman, was purchased by William Alexander, Sr., Louisa's husband and a free man of color. They moved to Maryland, where Louisa lived as a free woman. Following her husband's death, Louisa returned to Virginia with her children. John P. White, the defendant, claimed William Alexander was indebted to him and urged the executor of Alexander's estate to sell Louisa and Eliza, her daughter, to pay the debt. Louisa argued that she was free and could not be sold to satisfy the debt White claimed against her husband.

1853-001: German Jordan vs. John Rosser, etc. and John Rosser, etc. vs. German Jordan:

Scope and Content

German Jordan and John Rosser formed a partnership in order to sell several enslaved individuals to William M. Rives, a resident of Mississippi. Upon their arrival in Mississippi, Rives refused to pay for them due to insufficient capital. Rosser's son, who was acting as Jordan and Rosser's agent, removed the enslaved people to New Orleans, where he sold all but two of them. The suit contains numerous depositions that include descriptions of the ascribed monetary value and physical appearance of the enslaved individuals, as well as the route taken on the trip.

1855-005: Francis Jackson vs. John W. Deshazer:

Scope and Content

Francis Jackson (alias Frank Jackson), who claimed to have been born free in Pennsylvania, asserted that he was "decoyed into [Virginia]" and subsequently sold into slavery. He sought an injunction to prevent his removal beyond the state before a freedom suit, pending in Botetourt County, was decided upon. Witness testimony found in the cause argued that he was a runaway slave. The suit ended because Jackson "absconded and is now going at large," though the judge discontinued the suit without prejudice so that Jackson might institute another freedom suit if he found himself again enslaved.

1855-016: Fleming Saunders vs. Committee of Martha Watts:

Scope and Content

This suit contains detailed descriptions of enslaved people belonging to Martha Watts, including their names, physical descriptions, death dates, and the number of children in their care. It also provides information related to auctions of enslaved people, such as locations, dates, and to whom they were sold.

1872-015: Wiatt~, etc. vs. Admr. of Jesse Wood:

Scope and Content

Wiatt, Catherine, Paulina, John White, Albert Watts, Eveline, Frances, Sam, Fayette, Ariana, Tom, Billy, Martha, Pass, Levy, Walker, Mary Ann, Griffin, Dick, John, and an unnamed infant, all formerly enslaved by Jesse Wood, sued the administrator of Wood's estate to recover the inheritance left them by Wood. They believed that the inheritance was meant to aid their removal to a free state following their emancipation by Wood's will. The suit includes a list of the descendants of individuals enslaved by Wood.