

A Guide to the Amherst County (Va.) Chancery Causes, 1779-1956 (bulk 1850-1912)

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Descriptive Summary

Language

English

Collector

Amherst County (Va.) Circuit Court.

Physical Characteristics

Digital images; 112.37 cubic feet (248 boxes)

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Chancery Causes 1779-1912 use digital images found electronically on the [Chancery Records Index](#) available on the website of the Library of Virginia.

Chancery Causes 1913-1956 are unprocessed. Contact Archives Research Services for availability.

Use Restrictions

No restrictions on use.

Acquisition Information

These records came to the Library of Virginia in a transfer of court papers from Amherst County Circuit Court in 2017 under the accession number 52092, and an undated accession.

Processing Information

Amherst County (Va.) Chancery Causes 1779-1919 were processed in two separate groups the first, Chancery Causes 1779-1869, and later the second group, Chancery Causes 1870-1912. At this time, there are currently no plans to process and index the 1913-1956 records.

Digital images were generated by Backstage Library Works through the Library of Virginia's Circuit Court Records Preservation Program.

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Adjunct Descriptive Data

Related Material

Additional Amherst 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

Amherst County was named for Major General Jeffery Amherst, British commander in North America during the latter part of the French and Indian War and governor of Virginia from 1759 to 1768. It was formed from Albemarle County in 1761. Islands in the Fluvanna (now the James) River were added in 1770.

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.

Scope and Content

Amherst County (Va.) Chancery Causes, 1779-1956, 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 1779-1869, contain a large amount of cases concerning debts and estates. This date range of cases also contains a fairly substantial amount of information concerning enslaved Black men, women, and children. While there are several suits concerning the freedom of enslaved individuals, 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.

Chancery Causes 1870-1912, also contain a large amount of debt and estate cases but in these decades following the Civil War and moving towards the turn of the century, there are a significantly higher number of cases related to contracts and divorces. The divorce cases in this date range for Amherst County disproportionately involve Black couples. Additionally, although post-Civil War material, cases involving Black individuals may reference prior enslavement, and estate cases may at times still list names of Black individuals enslaved by white estates. In the first decade after the Civil War, there are a number of cases that refer to the effects of the war on marriages, family economics, and property ownership. Lastly, this section of material contains cases related to mental health and the legal processes involving individuals labeled as "insane" or "lunatic."

Chancery Causes 1913-1956 are at this time unprocessed so have no descriptive information.

These records also contain 2 boxes of "Orphan Chancery" which is processed but not indexed. These records contain parts, often single items, of chancery causes that could not be further identified as belonging to a certain case.

Arrangement

Chancery Causes 1779-1912 are 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.)

Chancery Causes 1913-1956 are unprocessed and remain in their original bundles.

Chancery Causes of Interest

Amherst County (Va.) Chancery Causes of Interest 1800-1912

Extent

Digital images

Physical Location Library of Virginia

Scope and Content

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.

1800-014: Henry Camden vs. Alexander Brydie and Co, etc.:

Scope and Content

Cause involves disputed sell of enslaved woman suffering from a venereal disease.

1801-008: John Ball vs. John Sparrow:

Scope and Content

Defendant is a free person of color. Ball trying to dissolve judgment won against him for assault and battery by Sparrow. Sparrow's answer includes sentence, "Sparrow is truly sensible of the difference which the laws of the land have made between himself and free white persons, and he hopes that no instance can be produced in which he has deviated from that respectful conduct, which ought to have observed towards those who the laws of this country have made his superiors."

1815-002: Prisiller (enslaved), etc. vs. Thomas Coppage:

Scope and Content

Freedom suit.

1830-011: Joseph Dillard vs. Adms. of Thomas Clasby:

Scope and Content

Enslaved person constantly "running away."

1831-029: Catherine Cash vs Peter Cash

Scope and Content

Divorce case concerning disputes between the plaintiff, her much older husband, and his adult children.

1833-012: Jesse Allen vs. John Horsley**Scope and Content**

The defendant found out that the plaintiff had money to purchase slaves. Allen thought Horsley was going to kill or rob him on the highway. An enslaved girl was purchased.

1833-024: Sarah, etc. vs. George P. Luck:**Scope and Content**

Freedom Suit: Sarah sued for her freedom. She refused to go with other enslaved people to Ohio. See also Chancery Cause 1834-006.

1834-006: Sarah, etc. vs. Elisha Rucker, etc.:**Scope and Content**

Plaintiffs won freedom in 1833. See also Chancery Cause 1833-024

1834-012: John Ware, etc. vs. Archibald Robertson, etc.:**Scope and Content**

Enslaved people were removed from jurisdiction without permission of court. The court is authorized to take possession of the enslaved people.

1835-002: Nelson C. Dawson vs. John Myers, etc.**Scope and Content**

Concerns an enslaved person who died due to improper treatment

1836-032: Gdn. Of Benjamin Miles vs. Benjamin Miles, Infant:**Scope and Content**

Enslaved man Henry ran away for fear he would be killed.

1837-008: Nancy Holloway (enslaved) vs. Admr. of Thomas S. Holloway, etc.:**Scope and Content**

Freedom Suit.

1837-021: William J. Isabell vs. Elisha Peters, etc.:**Scope and Content**

Plaintiff accused defendant of selling him a "diseased" enslaved person who died a few months after purchase.

1839-033: John Burton vs. Daniel L. Price & wife, etc.**Scope and Content**

William Graham offered to purchase an entire enslaved family to keep them from being split up.

1841-007: Lucy A. Mays, by & c. vs. Ancil Mays, etc.**Scope and Content**

Husband was having an affair with a woman he enslaved.

1841-023: William L. Adams vs. Admx. of Joseph Woolling**Scope and Content**

Concerns an enslaved man who became ill before starting work as a waterman. He may have been poisoned and his enslaver knew he was unable to work.

1849-006: Frederick G. Peters vs. James F.M. Shepherd

Scope and Content

Concerns an enslaved man who fled, and then faced being whipped. The man fought back against this violence which is documented in several depositions.

1854-001: Archibald Robertson & Co] vs. Rebecca Rucker, widow, etc.**Scope and Content**

All the enslaved people were hired out with the exception of James Gilbert, a "mulatto" man, who should now be emancipated. See also: 1833-023; 1843-004 and 1841-001.

1857-010: Petition of Daniel Higginbotham, Exr.**Scope and Content**

Suit concerns emancipated enslaved persons of Thomas Higginbotham, including their transportation to Philadelphia and other places, medical care, and material support. Family relationships of formerly enslaved persons is detailed along with notation of those who have died.

1858-011: John L. Adams vs. James River and Kanawha Co]**Scope and Content**

No bill, answer, decrees, but depositions contain extensive discussions of dam and lock building on the James River. Specifications for Bald Eagle Dam included as exhibit.

1859-007: Charity Bourne vs. Elijah Fletcher**Adms. Of John Hansard vs. Elijah Fletcher****Scope and Content**

Elijah Fletcher is the owner of Sweetbriar Plantation (later Sweetbriar College). Plaintiffs accuse him of misleading and tricking them into transferring their valuable property, including numerous enslaved persons, to him. Suit contains a good deal of relationship information on enslaved persons.

1860-007: Exr. of Frances Shackelford [ex parte]**Scope and Content**

Executor is asking the court's direction to emancipate 44 people, as directed by the will of Shackelford, and transport them to Liberia or one of the free states. Forty-two of the 44 opt to go to Ohio. Two voluntarily re-enslave themselves. The list of those going to OH shows family relationships, ages, complexion. A letter by the Exr. Says that the people were taken to Belmont, OH with plans to move them further into the state. "Trouble with Abolitionists" in Town of Bridge Port prevented this. Abolitionists contended that the executor no longer had any right to direct the people since they were now free.

1870-001: Robert W. Snead vs John H. N. Landrum**Scope and Content**

Debate over whether or not a property purchase made during the Civil War was still valid, given that it was paid for with now-worthless Confederate Treasury Notes.

1871-022: Petition of the Exrs of Arthur B. Davies**Scope and Content**

Concerns a group of enslaved individuals who were manumitted in a will, and efforts to prepare for their eventual move to Liberia. Includes articles discussing the creation of Virginia's Colonization Board and state funding for the transportation of "free people of color."

1874-031: Exrs of Daniel Day vs Daniel Day etc.**Scope and Content**

The terms of a will freed a group of enslaved individuals on the condition that they be sent to Liberia, but this freedom was delayed due to a Virginia Supreme Court of Appeals decision that limited this method of emancipation. Includes records of their lives post-Civil War.

1875-035: Admr of George Powell vs Admr of Prosper Powell, etc,**Scope and Content**

Includes a discussion about the mental health of an enslaved woman; and the migration of an enslaved man to Pennsylvania after his wife was manumitted.

1875-041: Sarah E. Scott etc. vs John W. Scott

Scope and Content

Includes an accusation that the husband attempted to force wild cherry bark on his wife as an abortifacient or to otherwise prevent her from bearing children. Also includes extensive descriptions of domestic abuse and a violent custody dispute.

1876-015: George Eubank vs Effia Eubank

Scope and Content

Concerns a divorce between an African American couple wherein the husband claimed his wife committed adultery on the grounds that their first child was "white."

1877-006: Robert S. Coleman etc. vs Board of Supervisors of Amherst County] etc.

Scope and Content

Concerns bonds issued by the government for the purpose of purchasing food for the families of Confederate soldiers and weapons for the "Amherst Raiders", "Southern Rights Guard", and "Amherst Rifle Greys". Includes VA Court of Appeals records.

1878-020: Petition of Jane C. Woodroff etc.

Scope and Content

Concerns a woman petitioning to have her surname changed to her maiden name following a divorce.

1881-010: Betty G. Poindexter vs Stephen B. Poindexter, etc.

Scope and Content

Includes a defendant who migrated to California and was later confined to a "lunatic asylum." Discusses care of a family member with epilepsy.

1883-016: Dicy Jones vs Joshua Jones

Scope and Content

Woman requested a divorce after her husband escaped from prison multiple times. Includes materials from his court records.

Exr of Howell L. Brown vs Robert M. Brown, etc

Gdn of Henry L. Brown etc vs Charles W. Brown, etc

Trst of Henry L. Brown etc vs Exr of Howell L. Browne, etc

Scope and Content

Concerns the distribution of Howell L Brown's, a white man, estate Montpelier and Black people enslaved by his estate, the further complication of his son Charles dying during the Civil War, addition death of son John and the poor decision making of his son Henry, and effects of the Civil war on the estate and its partition.

1885-019: Admr of John J. Caskie vs John J. Lawthorne

Scope and Content

Defendant was imprisoned for working with federal authorities in 1864.

1887-007: Henry Garland vs Cornelia Garland

Scope and Content

Plaintiff argued for divorce on the grounds of his wife refusing intercourse and cohabiting with her first husband. Defendant was removed from her church as a result, but argued that his affair with her sister had justified her actions.

1887-008: William H. Leavender & wife vs Elliot H. Burley etc

1887-008: William H. Lavender & wife vs Elliot H. Burley etc**Scope and Content**

Defendants were accused of manipulating an elderly relative with dementia into believing that the plaintiffs were trying to poison him.

1888-002: C. W. Irvine vs Lottie S. Irvine; etc.**Scope and Content**

Plaintiff accused his wife of engaging in sex work as well as adultery, and presented his own syphilis as evidence.

1888-012: Cornelia Peters vs Pleasant Peters**Scope and Content**

Plaintiff married her husband while she was enslaved but separated from him post-emancipation, and did not realize that a law legitimizing enslaved marriages meant they were still legally married.

1888-038: William D. Hammond vs Albert Willis etc**Scope and Content**

William Hammond claiming that he is the legitimate child of Marcella (Morris) Hammond and is therefore entitled to a portion of her estate. The majority of the case includes depositions trying to assess the truthfulness of this claim. Many of the deponents are formerly enslaved men and women, several enslaved by the Morris and Hammond families in Richmond and Amherst Co. The depositions compromise much of the case and include discussions of William's epilepsy, accusations of Marcella Hammond being both an alcoholic and adulterer, William's criminal charge of bigamy, the abusive nature of Hammond.

1895-003: C. N. Goodwin vs Lelia J. Goodwin**Scope and Content**

Defendant was a woman who began a career as a milliner and merchant's clerk to support herself and her child, who was chronically ill, after separating from her husband.

1897-017: Harriet A. Smith vs Charles H. Smith**Scope and Content**

Plaintiff details an abusive marriage, including records of criminal cases and the defendant's efforts to be committed to the Lunatic Asylum at Staunton to avoid facing charges. Defendant accuses wife and son of lying to gain control of his business and abuse his other children.

1898-015: Robert L. Lewis vs Lucy J. Lewis**Scope and Content**

Plaintiff accused his wife of keeping a "bawdy house" in their home, and later abandoning their children after a murder occurred therein.

1899-032 : Petition of Mt. Olive Baptist Church etc**Scope and Content**

Concerning the division of the church into two separate churches, Morning Star Baptist Church being the other, and the division of the building and various assets, over difference in how to handle the growing congregation.

1900-042: George Townsend vs Jacob Layne etc**Scope and Content**

The depositions and petition note Bettie Craig's claim that she is the daughter of Gabriel Crawford as he and her mother Charity lived as husband and wife while enslaved prior to the Civil War and therefore has the right to the Crawford property.

1901-003: Sallie Saunders etc. vs D. H. Rucker Jr. etc.**Scope and Content**

A man left his family over a child he said was illegitimate. After said child's death, he reclaimed the child and consequently declared himself the decedent's sole heir. The man's former wife testified that the

child had been fathered by her enslaver.

1901-026: James A. Sommerville v John J. Ambler etc

Scope and Content

Concerns a dispute between Sommerville and Ambler concerning a contract and finances and the resulting dissolution of the partnership. Contains a large amount of letterhead from businesses along the east coast, as well as, a printed resume, various ads (meat juicer, assorted holiday toys, sample of patriotic cloth, 1898 fashion catalog), a catalogue from the Law School of Richmond College.

1904-026: Mittie Goodwin Evans vs George Evans

Scope and Content

Mittie claims that George contracts syphilis outside of their marriage and passed it to Mittie while nursing their newborn child who now has the disease.

1904-048: Annie J. Earnest, etc vs Nannie E. Watts (alias Nannie E. Earnest)

Scope and Content

Annie Earnest accuses Nannie Watts of unlawful relations with her late husband and defrauding him into granting Nannie his estate upon his death. However appears that Earnest had been previously married before Annie Earnest so their marriage was not valid, but as his first wife has died before his marriage to Nannie Watts, his third marriage was actually the legitimate marriage.

1905-008: Duncan Campbell etc vs A. J. Bryant, etc

Scope and Content

Plaintiffs contend that the March 14, 1904 Act of the General Assembly to incorporate the town of Madison Heights in Amherst County is Unconstitutional.

1905-037: Petition of: City of Lynchburg

Scope and Content

Petition to condemn the land of Clarence Barnes & children as the city could not reach an agreement with Barnes and want the land for the construction of a pipeline to bring water to Lynchburg

1907-014: Charles W. Parr vs The Geis Manufacturing Company], etc

Scope and Content

Concerning Saw Mill operations and the equipment used. Issue over the company selling poor quality equipment to Charles Parr. See also: Chancery causes: Charles W. Parr v The Geis Manufacturing Company], etc

1908-003: Mary E. Campbell etc vs Felix Jenkins

Scope and Content

Concerning a right away in dispute between the Campbell family, a white family, and Felix Jenkins, a Black man, and whether Felix Jenkins is allowed to pass through what the Campbell family claims to be their property. There are clear racial tensions in this case as the Campbell claim the Jenkins is "disagreeable" and fear for their safety as they are just women and small children living alone.

1908-030: George F. Steen vs Annie E. Steen etc

Scope and Content

Concerns George Steen's desire to sell his wife's property that he is trustee of in order to relocate his family as the family is currently living on property located near a Black neighborhood. This cause contains a large amount of racist content in the depositions regarding the description of the Black neighborhood.

1908-039: W. W. Reid vs Admr. of James C. Reid

Scope and Content

Lucy Alexander, a Black woman, claims to be the mistress of James C. Reid, a white man from a prominent North Carolina family. Claims she is owed compensation for labor and claims ownership of many of the furnishings and chickens as part of the estate. Also claims to have had a child with Reid.

1909-004: Naomi Mays Tucker Wilmer vs Henry B. Wilmer

Scope and Content

Husband was forcibly committed to the Western State Hospital for the Insane of Staunton, VA by a "mob" of neighbors due to alleged alcoholism and spousal abuse. Discusses mental health treatment and includes a report of the "Commission Regarding Insanity."

1909-006: Ella M. Floyd vs J. C. Ford

Scope and Content

Floyd is requesting the court to require Ford to remove a fence he has constructed across a public road, preventing Floyd access to the railway and further cuts of important access to her property. Contains a plat of the town of Monroe, VA and shows the early history and development of this Railroad town.

1909-012: Admr. of Henry Clay etc vs E. M. Watts

Scope and Content

Family of Henry Clay, a Black man, alleges that before his death, he purchased from E.M. Watts, a white woman, a piece of property and built a home on the property. Family is seeking to pay balance and secure a deed for the property, however, E.M. Watts denies there was any legitimate purchase and she simply allowed Henry Clay to live on the property. See also: 1909-007 and 1901-015

1909-025: Florence Ogden vs Samuel W. Ogden

Scope and Content

Divorce case which gives details into the lives of Mary Cornett and Edith Anderson, sex workers, and the sex working industry in Lynchburg (Va.).

1910-031: Charles M. Guggenheimer vs Clara Goff, etc

Scope and Content

Describes Clara Goff's life as head of the household due to her husband, Edward Goff's poor health, and the difficulty she faces as a woman with these responsibilities in the early 20th century.

1912-052: Willie Dempsey Wise vs Tessie Maud Burks Wise

Scope and Content

Plaintiff claimed that he had been forced to marry his wife under threat of violence or legal action, and that he hadn't known that she was pregnant with another man's child at the time.