

A Guide to the James City County/Williamsburg (Va.) Chancery Causes, 1799-1967

James City County/Williamsburg (Va.) Chancery Causes, 1799-1967
1799-1967

A Collection in the Library of Virginia
Library of Virginia
2009

Author: Greg Crawford

History

Processed by: Field processseors and V. Brooks

Title Statement

A Guide to the James City County/Williamsburg (Va.) Chancery Causes, 1799-1967

Subtitle: James City County/Williamsburg (Va.) Chancery Causes, 1799-1967

Author: Greg Crawford

Publication Statement

Date: © 2009 By The Library of Virginia. All Rights Reserved.

Publisher: Library of Virginia

[Conditions of Use](#)

Profile Description

Creation: Machine-readable finding aid derived from MARC record, created by Greg Crawford, 03 March 2009

Language Usage: Description is in English

Revision Description

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

Descriptive Summary

Language

English

Collector

James City County/Williamsburg (Va.) Circuit Court.

Physical Characteristics

Digital images; 71.85 cubic feet (154 boxes).

Location

State Records Center

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Chancery Causes 1799-1933 use digital images found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Chancery Causes 1934-1967 are indexed but not scanned. Contact Archives Research Services for availability.

Use Restrictions

There are no restrictions.

Acquisition Information

These materials came to the Library of Virginia in transfer of court papers from James City County/Williamsburg in 2007 under the accession number 43503.

Processing Information

Digital images were generated by Crowley Micrographics in 2009 through the Library of Virginia's Circuit Court Records Preservation Program.

Chancery Causes 1934-1967 have been indexed but not digitally scanned. At this time, there are no plans to digitize these records.

Post-1933 records were previously described separately under the title James City County/Williamsburg (Va.) Chancery Causes, 1934-1967. Records are now described together.

Chancery Causes were initially processed in the locality by field processors and reprocessed by Library of Virginia staff in 2008.

Encoded by G. Crawford: 2009; updated by J. Taylor: December 2023.

Preferred Citation

James City County/Williamsburg (Va.) Chancery Causes, 1799-1967. (Cite style of suit and chancery index no.). Local government records collection, James City County/Williamsburg Court Records. The Library of Virginia, Richmond, Virginia.

Adjunct Descriptive Data

Related Material

Additional James City County/Williamsburg Court Records can be found on microfilm at The Library of Virginia. Consult ["A Guide to Virginia County and City Records on Microfilm."](#)

James City County/Williamsburg is one of Virginia's Lost Records Localities. See the [Lost Records Localities Digital Collection](#) available at Virginia Memory.

Additional unindexed post-1913 records may be available at the Circuit Court Clerk's Office. Contact the county clerk for access.

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: James City County was named for King James I. It was one of the eight shires, or counties, enumerated in 1634. Williamsburg was founded in 1699 and declared a "city Incorporate" by a royal charter in 1722, although its actual status was that of a borough. Beginning in 1770, the courts of James City County and Williamsburg shared a common courthouse. During the Civil War, the records of both localities were transferred to Richmond for safekeeping, but were destroyed by fire there on April 3, 1865.

Lost Locality Notes: James City County was recognized in 1634 as an original shire. Williamsburg was founded in 1699 and declared a "city Incorporate" by a royal charter in 1722, although its actual status was that of a borough. Beginning in 1770, the courts of James City County and Williamsburg shared a common courthouse. During the Civil War, the records of both localities were transferred to Richmond for safekeeping, but were destroyed by fire there on April 3, 1865. The records of the superior court of chancery for the

Williamsburg district were destroyed by a courthouse fire in April 1911.

Scope and Content

James City County/Williamsburg (Va.) Chancery Causes, 1799-1967, 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 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.

1873-005: Maria Griffin, etc. vs. Exr. of Helen Anderson, etc.

Scope and Content

The estate suit involves the real and personal property of Robert Anderson, a wealthy businessman, politician, and property holder. Anderson's estate contained lots in Yorktown, houses in Williamsburg, valuable farmland along the river, and even Cornwallis's cave. After the death of George, Anderson's son, he had a falling out with the remainder of his family. In his will, Anderson laid out his numerous remonstrances against his family as well as emancipating the people he enslaved. Maria Griffin, one of the enslaved people, was given \$300, furnishings, and the use of a home for her lifetime. The will further dictated that the remainder of his considerable properties be sold after a period of renting and the proceeds divided among Maria's four children- Catherine Hardee, Robert Gilbert, Nancy Camp, and Hannah Tyler, all of whom, he acknowledges are "of his family" and who were similarly set free. SEE ALSO: Chancery Cause 1886-011.

1875-005: Edmond Parsons vs. Monimia Minson

Scope and Content

Edmond Parsons was formerly enslaved and was granted leave by his enslaver to marry Margaret "Peggy" Moss, a free woman in Norfolk. Parsons was also granted leave to live with his wife and earn money of his own to improve his home and property. Moss inherited 500 dollars from her former enslaver's will, which the couple used to buy a home and lot. Peggy Moss died in 1865. Monimia Minson, alleged to be Moss's half-sister, challenged Parson's right to the property, claiming that Parson and Moss were never truly married. She, therefore, claimed the right to Moss' estate. Parsons cited the 1866 cohabitation law that established that enslaved people cohabitating before the end of slavery would be considered husband and wife in the eyes of the law. Minson dies during the course of the suit.

1888-006: Mutual Assurance Society Against Fire On Buildings of the State of Virginia vs. Presidents and Masters of the College of William and Mary

Scope and Content

The suit was filed because of a debt owed by the College of William and Mary to the Mutual Assurance Society Against Fire on Buildings of the State of Virginia. William and Mary insured the three oldest and most noteworthy structures with the Mutual Assurance Society in 1860 and again in 1869. The college

neglected to pay the bill for the insurance of the President's House, the Wren Building, and Brafferton, as well as the college hotel. The Mutual Assurance Society brought suit to enforce a judgment against the school to pay its debts. Sketches of the buildings were included as exhibits.

1886-011: Exr. of Elizabeth Macauley vs. The President and Managers of the Dismal Swamp Land Co., etc.

Scope and Content

This estate suit began in 1797 and was heard by the Virginia Supreme Court for the third time in 1902, thus claiming the jurisprudence longevity title.

Library of Virginia