

A Guide to the Westmoreland County (Va.) Writs of Habeas Corpus, 1867, 1870

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1867, 1870

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Descriptive Summary

Barcode numbers

1177335, 1177342

Language

English

Collector

Westmoreland County (Va.) Circuit Court

Physical Characteristics

.010 cu.ft

Location

Library of Virginia

Repository

Library of Virginia

Administrative Information

Access Restrictions

There are no restrictions.

Use Restrictions

There are no restrictions.

Acquisition Information

These items came to the Library of Virginia in shipments of court records from Westmoreland County.

Preferred Citation

Westmoreland County (Va.) Writs of Habeas Corpus, 1867, 1870. Local government records collection, Westmoreland County Court Records. The Library of Virginia, Richmond, VA 23219.

Adjunct Descriptive Data

Related Material

The Westmoreland County (Va) Writs of Habeas Corpus, 1867, 1870 are filed with Westmoreland County (Va.) Judgments, 1739-1914 available at the Library of Virginia

See the [Lost Records Localities Digital Collection](#) available at Virginia Memory.

For more information and a listing of lost records localities see [Lost Records research note](#).

Historical Information

The Virginia legislature passed an act on 27 February 1866 to legalize the marriages of former slaves and provided for the legitimization of children of couples no longer cohabiting as long as the father recognized the children to be his. See Virginia Acts of Assembly, 1866-1867, Chapter 18, An act to amend and re-enact the 14th section of chapter 108 of the Code of Virginia for 1860, in regard to registers of marriage; and to legalize the marriages of colored persons now cohabiting as husband and wife.

Westmoreland County was named for the English county. It was formed from Northumberland County in 1653. The county seat is Montross.

Many loose papers were burned during both the Revolutionary War and the Civil War. Volumes that record deeds, court orders (except for an order book for the period 1764-1776), and wills exist.

Scope and Content

Westmoreland County (Va) Writs of Habeas Corpus, 1867, 1870, involve disputes over custody of children fathered by slaves or free African Americans with slave women or free African American women prior to emancipation. The fathers are seeking custody of the children so that they may be declared legitimate based on an act passed by the Virginia legislature on 27 February 1866.

Writs of habeas corpus is directed to a person detaining another and commanding him to produce the body of the person detained. The purpose is to test the legality of the detention or imprisonment.

Index Terms

Corporate Names:

Westmoreland County (Va.) Circuit Court

Subjects:

African Americans--History

Custody of children

Slavery--Virginia--Westmoreland County

Women--Virginia--Westmoreland County

Geographical Names:

Westmoreland County (Va.)--History--19th century

Genre and Form Terms:

Civil suits--Virginia--Westmoreland County

Local government records--Virginia--Westmoreland County

Writs--Virginia--Westmoreland County

List of Writs of Habeas Corpus

1867 January: Petition of Peter Wiggins

1867 June: Petition of Abram Hall

1870 October: Petition of Henry Smith

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