

A Guide to the Rockingham County (Va.) Chancery Causes, 1781-1946 (bulk 1873-1913)

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Title Statement

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Profile Description

Creation: Machine-readable finding aid derived from MARC record, created by Greg Crawford, 24 January 2013

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

Rockingham County (Va.) Circuit Court.

Physical Characteristics

Digital images; 250.28 cubic feet (542 boxes).

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Rockingham County Chancery Causes, 1781-1913, use digital images found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Chancery Causes 1914-1946 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

These records came to the Library of Virginia in a transfer of court papers from Rockingham County (Va.) in 2003 under the accession number 40981, in 2010 under the accession numbers 44735 and 45809, in 2014 under the accession number 51264, and in 2018 under accession number 52431.

Processing Information

Rockingham County was largely processed by a field processing archivist and Library of Virginia archivists completed processing and reindexed the records in 2013.

Encoded by G. Crawford: 2013; Updated by J. Taylor: June 2023.

Digital images were generated by Backstage Library Works in 2012 through the Library of Virginia's Circuit Court Records Preservation Program.

Post-1913 Chancery previously described separately under the title Rockingham County (Va.) Chancery Causes, 1914-1946. Records are now described together.

Preferred Citation

Rockingham County (Va.) Chancery Causes, 1781-1946 (bulk 1873-1913). (Cite style of suit and chancery index no.). Local Government Records Collection, Rockingham County Court Records. The Library of Virginia, Richmond, Virginia.

Custodial History

Chancery Causes, 1914-1940s, as part of accession number 51264 returned to the locality in 2016 at the request of the clerk of the Circuit Court.

Adjunct Descriptive Data

Related Material

The bulk of Rockingham County (Va.) Chancery Causes post-1913 are retained in the locality. Contact the Clerk of the Circuit Court for access.

Additional Rockingham 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."](#)

Rockingham County is one of Virginia's Lost Records Localities. Additional Rockingham County Court Records may be found in the Virginia Lost Records Localities Collection at the Library of Virginia. Search the [Lost Records Localities Digital Collection](#) found at the Library of Virginia web site.

See also: ["A Guide to the Commercial Bank \(Harrisonburg, VA\) Ledger No. 2, 1890-1891."](#) An exhibit used in the Rockingham County Chancery Cause 1911-025: Rockingham Bank etc. vs. Commercial Bank.

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: Rockingham County was named for Charles Watson-Wentworth, second marquis of Rockingham, who supported the colonies during the years before and during the Revolutionary War. The county was formed from Augusta County in 1778. The county seat is the city of Harrisonburg.

Lost Locality Notes: A courthouse fire in 1787 destroyed primarily wills and estate records. In June 1864 during the Civil War, court records (mostly volumes) were removed from the courthouse and loaded on a wagon to be taken to place of safety on or beyond the Blue Ridge. The wagon was overtaken by Union troops near Port Republic and set afire, which was put out by local citizens. Many order books, deed books, will books, and fiduciary books, however, were lost or severely damaged by the fire. The loose records that remained at the courthouse were undamaged. Pre-1865 records including deeds and wills were rerecorded following an act of assembly passed in November 1884.

Scope and Content

Rockingham County Chancery Causes, 1781-1946, 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.

One box of records, which contains the chancery cause "Kitchen vs. Duvall" from 1916 is unprocessed.

These records contain one box of "Orphan Chancery" which is unprocessed. These records contain parts, often single items, of chancery causes that could not be further identified as belonging to a certain case.

Location of Originals

Majority of Chancery Causes 1914-1946 retained in locality. Rockingham County Circuit Court; 80 Court Square Harrisonburg, VA 22802.

Arrangement

Organized by case, of which each is assigned a unique index number comprised of the earliest 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.

1850-002: John R. Plecker vs. Peachy Harrison, etc.

Scope and Content

The case revolves around the relationship between the Methodist Episcopal Church and slavery. During the years leading up to the Civil War, the church was divided on the issue of slavery, leading to a division into two denominations: the Methodist Episcopal Church and the Methodist Episcopal Church South. This case in particular focuses on which sect (the northern anti-slavery or the southern pro-slavery) had the right to use the church in Harrisonburg. The suit provides a detailed background on the creation of the Methodist Episcopal Church South and numerous depositions discuss the split.

1854-020: Henry Phillips vs. Admr. of Andrew Newman, etc.

Scope and Content

Bill, an enslaved man, was purchased by Henry Phillips from Andrew Newman shortly before his untimely death. The suit includes depositions from the doctor that detail Bill's illness and death as well as other depositions which illustrate the poor treatment of Bill, all related to his value to his enslavers.

1874-007: Jacob Whitesel, etc. vs. Admr. of Peter Whitesel, etc.

Scope and Content

Most of the Whitesel family resided in Indiana, but Peter Whitesel, the father, and Simon Whitesel, one of his sons, were living in Rockingham County. Simon convinced his father that his existing will at the time of the Civil War would be confiscated by the Confederate government because the Confederates viewed his family as alien enemies and would take over his estate. He convinced Peter to hand over the rights to all his estate to him by promising he would divide it equally after the war. Simon insisted that his father did intend for him to have the bulk of the estate, as he was the one who cared for him in his decline.

1894-005: Abraham J. Eddins, etc. vs. Adms. of John Cook and Henry Lingle, etc. vs. Adms. of John Cook**Scope and Content**

The suit includes a petition to the District Court of the Confederate States of America in the Western District of Virginia seeking the seizure of property from "alien enemies" residing in Indiana, Ohio, and Illinois based in the Sequestration Act of 1861.

1907-073: Franklin L. Shuler v. Allie Ella Shuler**Scope and Content**

Allie Ella Shuler left Franklin L. Shuler, her husband after a longstanding affair with Robert Sampson. Sampson and Allie ran away to Erie, PA, at which point Franklin sued for a divorce. Included with the casefile are letters from Allie to her eldest son which recount everyday life and her regrets.