

A Guide to the Madison County (Va.) Chancery Causes, 1794-1919 (bulk 1873-1913)

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A Collection in the Library of Virginia
Library of Virginia
2015
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History

Processed by: G. Crawford and V. Brooks

Title Statement

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Subtitle: Madison County (Va.) Chancery Causes, 1794-1919 (bulk 1873-1913)

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Publication Statement

Date: © 2010 By The Library of Virginia. All Rights Reserved.

Publisher: Library of Virginia

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Profile Description

Creation: Machine-readable finding aid derived from MARC record, created by Greg Crawford, 24 April 2015

Language Usage: Description is in English

Descriptive Summary

Language

English

Collector

Madison County (Va.) Circuit Court.

Physical Characteristics

Digital images

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Madison County Chancery Causes, 1794-1919, use digital images found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Use Restrictions

There are no restrictions.

Acquisition Information

These materials came to the Library of Virginia from the Circuit Court of Madison County in 2012; the records were not accessioned into the collection.

Processing Information

A portion of the records were processed in 2008. After the remaining pre-1913 records were transferred to the Library of Virginia in 2012, the remaining unprocessed records were completed in 2014.

Digital images were generated by Backstage Library Works in 2015 through the Library of Virginia's Circuit Court Records Preservation Program.

Encoded by G. Crawford: 2015; updated by J. Taylor: August 2023.

Preferred Citation

Madison County (Va.) Chancery Causes, 1794-1919 (bulk 1873-1913). (Cite style of suit and chancery index no.). Local Government Records Collection, Madison County Court Records. The Library of Virginia, Richmond, Virginia.

Custodial History

Records transferred to the Library of Virginia from the Circuit Court of Madison County in 2012 for processing and reformatting. Original records returned to the locality in 2015 at the request of the clerk of the Circuit Court.

Adjunct Descriptive Data

Related Material

Additional Madison 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: Madison County was named for James Madison, a Virginian statesman, author of the United States Constitution, and member of Congress when the county was formed from Culpeper County by a statute adopted on 4 December 1792. This was the second Virginia county to be named for future president Madison. The county court first met on 23 May 1793. The county seat is Madison.

Scope and Content

Madison County (Va.) Chancery Causes, 1794-1919, 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.

Location of Originals

Original Madison County (Va.) Chancery Causes, 1794-1919 are retained in the locality. Contact the Clerk of the Circuit court for access.

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.

1803-003: Exrs. Of Robert Beverley vs. Mackenzie Beverley

Scope and Content

The suits contains the will of Robert Beverley, Senior of Essex County. Beverly was a Virginian planter and owner of "Blandfield Plantation." In his will, Beverly freed Harry, his enslaved personal attendant after the death of Maria, Beverly's wife. He also directed that if Maria thought it "proper," then Editha, Harry's wife, should also be freed.

1818-002: Simon B. Chapman vs. John Wright, etc.

Scope and Content

The suit is about a contract for substitute militia service and also discusses some generalities about the War of 1812.

1822-005: James P. Sims vs. William Jarrett, etc.

Scope and Content

William Jarrett was accused of murder by a coroner's inquest and fled the county. The coroner took possession of Jarrett's property due to Virginia law. James P. Sims initiated the suit after the coroner took possession of Jarrett's property and sued for the title to land he previously purchased from Jarrett.

1823-017: Mary Clark vs. William Davis, Asgn.

Scope and Content

The suit referenced Mary Clark, who had boarded with William Davis and raised several enslaved youth for him.

1837-007: Moses, etc. (enslaved)vs. Exr. of John Stockdell

Scope and Content

Moses and the other plaintiffs were enslaved by John Stockdell. Stockdell's will called for the plaintiffs to be turned over to the American Colonization Society for transport to Liberia, with funds for passage provided by the estate. The executors of the will, however, continued to rent out Moses and the other plaintiffs despite no debts being owed by the estate. The court ruled in favor of the plaintiffs. Full list of plaintiffs include: Peter, Jack, Harry, Walker, Robin, Simon, Joe, Ben, Thornton, Cesar, William, Braxton, Agga, Fanny, Anna, Barbara, Nelly, Lucinda, Mary, Maria, Frances, Silas, Monroe, Tabby, Edmund, Susan, Ambrose, Winn, John, Lewis, and Sarah

1839-004: Joseph Hume vs. Exrs. Of Joseph Clark, etc.

Scope and Content

The suit included an extensive genealogical chart describing the familial relationships of the Clark family.

1844-008: Henry Hill vs. Humphrey Taylor

1844-008: Henry Hill vs. Humphrey Taylor

Scope and Content

Hill and Taylor were business partners engaged in the slave trade, buying enslaved people in Virginia for the purposes of selling the enslaved people further south, specifically in Mississippi and Louisiana. After the partnership dissolved, Hill sued Taylor to recover his fair share of the profits. Hill asked the court to perform an audit of all the partnership's transactions from the time of its commencement to its dissolution. Included in the suit are lists containing the names of hundreds of enslaved people bought in Virginia and sold down south between 1830 to 1843. The lists record the names of enslaved people, the purchase price in Virginia, the sale price in Mississippi and Louisiana, the date of sale, and the names of the buyers.

1854-011: William J. Carpenter, etc. vs. Admr. of Thomas Shirley, etc.

Scope and Content

The suit concerns the will of Rhoda Carpenter, a woman they believe to be under "fanatical influence of Shakers [sect]" who renounced her inheritance of an enslaved person from Thomas Shirley.

1867-010: Jacob G. Weast, etc. vs. Admr. of Benjamin Burton

Scope and Content

Jacob G. Weast found a substitute for Benjamin Burton in the Confederate Army ca. 1861 and was promised 500 dollars in three payments. Weast collected one payment before Burton died. Weast and Edwin P. Rosson, the co-plaintiff, sued for the remainder. The administrator contended that the debt was invalid because it concerned service for the Confederate States of America, and the only true government of Virginia was the Restored Government now back in place in Richmond. The argument failed; the court ruled in favor of Weast and Rosson.

1891-032: Exrs. of Charles Hume vs. Hannah Sparks, etc.

Scope and Content

The suit is concerned with the settlement of Charles Hume's estate. Hume died in 1860 and provided for Charles and Hay Taliaferro, two elderly enslaved men, in his will. Charles died before or shortly after Hume. There was dissent between Hay and Hume's executors as to the contents of an agreement developed between Hay and the executors regarding Hay's care and maintenance. Hay, a petitioner to the suit, claimed to have been duped by the executors into signing an agreement that was not to his benefit. A decree from the Supreme Court of Appeals in the suit seemed to imply that Hay has no standing in the suit since he was freed at the end of the Civil War.

1919-001: Adms. Of Thomas Shirley vs. Heirs of Thomas Shirley and Zachariah Shirley vs. Adms. Of Thomas Shirley

Scope and Content

The suit began in 1840's and continued to early 20th century. The suit contained extensive genealogical information about the Shirley family as well as the people enslaved by the family. Also included is a letterhead depicting a political cartoon relative to the 1844 Presidential race.