

# A Guide to the Charles City County (Va.) Chancery Causes, 1758-1964 (bulk 1870-1930)

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## History

**Processed by:** C. Freed, J. Porter, L. Jones, S. Bagley, and Field Processors

## Title Statement

A Guide to the Charles City County (Va.) Chancery Causes, 1758-1964 (bulk 1870-1930)

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**Author:** Greg Crawford

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## Profile Description

**Creation:** Machine-readable finding aid derived from MARC record, created by Greg Crawford, 23 March 2018

**Language Usage:** Description is in English

## Descriptive Summary

### Language

English

### Collector

Charles City County (Va.) Circuit Court

### Physical Characteristics

Digital images; 27.225 cubic feet (60 boxes)

### Location

Library of Virginia

### Repository

The Library of Virginia

## Administrative Information

## Access Restrictions

Chancery Causes 1758-1912 use digital images found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Chancery Causes 1913-1964 are processed, but indexed information and digital images are not available at this time. Contact Archives Research Services for availability.

## Use Restrictions

There are no restrictions on use.

## Acquisition Information

These records came to the Library of Virginia in a transfer of court papers from Charles City County (Va.) in 2016 under the accession number 51922.

## Processing Information

Charles City County (Va.) Chancery Causes, 1758-1964, were processed by field processors around 2000. Chancery Causes 1758-1912 were reprocessed by C. Freed, J. Porter, L. Jones, and S. Bagley in 2017. At this time, there are currently no plans to reprocess and index the 1913-1964 records.

Digital images of Chancery Causes 1758-1912 were generated by Backstage Library Works through the Library of Virginia's Circuit Court Records Preservation Program in 2017.

Encoded by G. Crawford: March 2018; updated by C. Collins: August 2023.

## Preferred Citation

Charles City County (Va.) Chancery Causes, 1758-1964 (bulk 1870-1930). (Cite style of suit [and chancery index no. if available]). Local government records collection, Charles City County Court Records. The Library of Virginia, Richmond, Virginia.

# Adjunct Descriptive Data

## Related Material

Additional Charles City 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](#).

Charles City County is one of Virginia's Lost Records Localities. Additional Charles City County Records may be found in the [Lost Records Localities Digital Collection](#) available the Library of Virginia website.

## 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:** Charles City County was named for King Charles I and was one of the original shires, or counties, first enumerated in 1634. The county seat is Charles City. Part of James City County was added to Charles City in 1721.

**Lost Locality Note:** Records have been destroyed at various times. The most damage occurred during the Civil War when the records were strewn through the woods in a rainstorm. A few pre-Civil War volumes such as deed books, will books, minute books, and order books exist.

## Scope and Content

Charles City County (Va.) Chancery Causes, 1758-1964, 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.

The chancery causes are mostly comprised of debt suits, many of which ended between 1870 and 1900, and estate suits, which primarily ended between 1830 and 1900. Debt suits involved both businesses, such as lumber companies, and private citizens, several of whom resided in the City of Richmond. Estate suits generally concerned the distribution of property and sometimes involved historic properties like "Shirley Plantation" (owned by the Carter family). Frequently occurring topics of interest include enslavement; migration and immigration; and property.

Chancery causes that ended before 1865, as well as some that ended afterwards, may contain information related to free and enslaved Black and multiracial individuals. However, 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. Under the system of chattel slavery, laws permitted enslavers to treat enslaved people as personal possessions in the same manner as livestock, farm equipment, or household items.

## 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 generally 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.*

### **1857-011: Henry P. Barrow vs. Joseph C. Vaiden, etc.:**

#### **Scope and Content**

Joseph C. Vaiden hired Patience, an enslaved woman, from Henry P. Barrow. When Patience returned to Barrow, he claimed that Patience had been "grievously and unmercifully bruised, beaten, whipped and flogged" while in Vaiden's care. Barrow stated that enslaved persons should be treated humanely, though he referred to Patience as "property" throughout the suit and sought to terminate the contract between himself and Vaiden because "he would suffer damage and irreparable loss, if [Patience], who is his property, shall not be kept out of" Vaiden's employ.

### **1875-010: Edmund Waddill, trustee vs. Rep. of Richard M. Graves, etc.**

### **1883-003 Richard M. Graves, etc. vs. John Wight and wife, etc.:**

#### **Scope and Content**

Both suits include the will of Mary Brown, in which she emancipated Louisa and Mary, women enslaved by Brown. "Old man" John, another enslaved person, was not emancipated because, according to Brown's will, he declined her offer of freedom. In a codicil to her will, Brown modified the terms of emancipation, stating that only the enslaved persons who desired freedom should be liberated. Brown gave Louisa and Mary one month from her death to decide whether they wanted to be emancipated. She stipulated that their removal to Liberia or another area in which "they may be permitted to enjoy their freedom" should be funded through her estate. The will filed in the 1875-010 suit is slightly different from that included in the 1883-003 suit as it omits George, an enslaved man.

### **1880-009: Johnson Jones vs. Harriet Jones:**

#### **Scope and Content**

Johnson Jones sought a divorce from Harriet Jones, his wife, after she left him for Solomon Tyler, the man she married before the Civil War "in the manner in which slaves were then married." Prior to the beginning of the war, Solomon was sold further south; he returned to Virginia sometime after 1865. Harriet, because

of her "old affection" for Soloman, decided to leave Johnson and live as man and wife with Soloman. According to Johnson, they first removed to the City of Richmond and then to Alabama or Georgia.

### **1881-004: Thomas Barham, creditor vs. Exx. of Benjamin H. Harrison (alias Benjamin Harrison Harrison), etc.:**

#### **Scope and Content**

A creditor of Benjamin H. Harrison, Thomas Barham sought the repayment of a debt from Mary Harrison, Harrison's widow and executrix. In her answer to Barham, Mary Harrison stated that she had to flee her house during the Civil War. All the personal property left by her deceased husband was destroyed by the federal troops and the people enslaved by the family were freed shortly after his death in 1862. Her husband, a Confederate captain, fought in the Civil War and died at the Battle of Malvern Hill.

### **1882-010: Board of Supervisors of the County of Charles City vs. Board of Overseers of the Poor of Charles City County, etc.:**

#### **Scope and Content**

The suit describes "the selling of the Glebe Lands" of the Parish of Westover, the proceeds of which were used to purchase land on which a poorhouse, workhouse, and schoolhouse were built by the Overseers of the Poor of Charles City County. The property and its improvements were known as the Charles City Charity School.

### **1883-004: Exr. of Hill Carter vs. Lizzie H. C. Wickham, etc.:**

#### **Scope and Content**

This suit involves the distribution of the estate of Hill Carter, who owned and resided at the Shirley Plantation in Charles City County. The executor of Carter's estate, Robert Carter, sought to support the education of Lizzie H. C. Wickham, Carter's granddaughter, through the establishment of a trust fund.

### **1885-006: Joseph A. Christian v. Malinda M. Christian (alias: Melinda M. Christian):**

#### **Scope and Content**

Joseph A. Christian claimed that Malinda (also referred to as Melinda and Linda) M. Christian, his wife, deserted him and his family and moved to Philadelphia, Pennsylvania. He also accused her of committing adultery. Malinda claimed that Joseph gave her a "vile and secret disease" and she was forced to travel to different places for care, eventually moving Philadelphia for her health. She supported herself in Philadelphia by teaching music. The suit contains record of a divorce suit initiated by Linda M. Christian in Philadelphia in 1882.