

A Guide to the Brunswick County (Va.) Chancery Causes, 1781-1942 (bulk 1840-1916)

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Author: Sarah Nerney

History

Processed by: L. Jones, R. Smith, P. Connelly, T. Harter, and S. Bagley

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Author: Sarah Nerney

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Revision Description

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

Descriptive Summary

Language

English

Collector

Brunswick County (Va.) Circuit Court.

Physical Characteristics

Digital images; 152.55 cubic feet (333 boxes)

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Chancery Causes 1781-1869 use digital images found on the Chancery Records Index available electronically at the website of the Library of Virginia.

Chancery Causes 1870-1942 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 on use.

Acquisition Information

A portion of the collection came to the Library of Virginia in a transfer of court papers from Brunswick County (Va.) in 2000 under the accession number 37202. Additional records were transferred to the library under an undated accession.

Processing Information

Brunswick County (Va.) Chancery Causes, 1781-1942, were processed in multiple chunks. Chancery causes that ended between 1781 and 1928 were processed by L. Jones and completed in 1999; additional chancery causes ending between 1846 and 1928 were processed by R. Smith and P. Connelly and completed in 2000. Chancery Causes 1781-1869 were reprocessed by T. Harter and S. Bagley and completed in 2022.

Digital images of Chancery Causes 1781-1869 were generated by Backstage Library Works through the Library of Virginia's Circuit Court Records Preservation Program in 2023, with additional funds provided by the Library of Virginia Foundation and the Jamestowne Society.

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Adjunct Descriptive Data

Related Material

Additional Brunswick 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](#).

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

Efforts have been taken to identify business records related to chancery suits as some business records were used as evidence in court proceedings. For a list of business records for Brunswick County, see also: ["A Guide to the Brunswick County \(Va.\) Business Records, 1850-1924"](#)

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: Brunswick County was named for the duchy of Brunswick-Lüneburg, one of the German possessions of King George I. It was formed by statute in 1720 from Prince George County and on 31 October 1723 the boundaries of the county were ordered to be laid out. However, because of the sparse population, the county court first met in June 1732. Brunswick County was enlarged by the addition of parts of Surry and Isle of Wight counties in 1733. The county seat is Lawrenceville.

Lost Locality Note: Most loose records prior to 1781 are missing. Pre-1781 volumes that record deeds, court orders, and wills exist.

Scope and Content

Brunswick County (Va.) Chancery Causes, 1781-1942, 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.

Chancery causes that ended before 1865, as well as some that ended afterwards, may contain information related to 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.

Chancery Causes 1781-1869 are primarily comprised of debt suits, estate suits, and contract suits. The estate suits sometimes reference enslaved persons and involve the division and distribution of property and women suing for dower rights. The contract suits concern disputes surrounding grist mills, carpentry businesses, and grocery stores, among other things, while the debt suits involve both businesses and private citizens.

Commonly found surnames among the plaintiffs and defendants include Abernathy, Bass, Britt, Browder, Brown, Buford, Carpenter, Chambliss (also spelled Chambless and Chamblis), Cheely, Claiborne, Clary, Clayton, Coleman, Daniel, Davis, Dromgoole, Drummond, Dugger (also spelled Duggar), Edmunds, Edwards, Field, Fisher, Floyd, Goodrich, Goodwyn, Green, Hall, Hardaway (also spelled Hardiway), Harris, Harrison, Harwell, Haskins, Hawthorn (also spelled Hawthorne), Heartwell, Hicks, Hill, House, Huff, Ingram, Jackson, Johnson, Jones, Kelly, Lanier, Lewis, Lucy, MacLin (also spelled MacKlin), Mallory, Malone, Manson, Mason, Matthews, Meade, Meredith, Mitchell, Moore, Moseley (also spelled Mosely), Orgain, Parham, Pearson, Peebles, Pennington, Phipps, Powell, Price, Pritchett, Raney (also spelled Rainey), Rawlings, Rice, Robinson, Seward, Seymour (also spelled Seymore), Shell, Short, Smith, Stainback, Stith, Taylor, Temple, Thomas, Trotter, Tucker, Turnbull, Vaughan, Walker, Walton (also spelled Wallton), Wesson, White, Wilkins, Wilkinson, Williams, Wright, and Wyche.

Allison & Addison is involved in 9 suits between 1879 and 1919; the Camp Manufacturing Company is involved in 22 suits between 1905 and 1915; Manson & Shell Company (also called Manson & Shell) is involved in 20 suits between 1890 and 1914; the Methodist Episcopal Church South is involved in 10 suits between 1886 and 1910; and Peebles & Purdy Company (also Peebles & Purdy Company Inc. and Peebles & Purdy) is involved in 13 suits between 1909 and 1917.

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.

1813-032: Keziah Crook, etc. vs. Betty Crook, etc.:

Scope and Content

Kezia, Flora, and Jenny Crook, formerly enslaved sisters, claimed to be the daughters of Joseph Crook, their former enslaver. They stated that they, along with Betty Crook, their mother, were emancipated by Crook in 1782 and that Crook married Betty after the death of his first wife. Kezia, Flora, and Jenny accused their mother, Crook's white children, and Thomas Stewart, a free Black doctor who lived in Dinwiddie County, of conspiring to destroy the will and deny the plaintiffs their share of their father's estate. Crook's white children claimed that their father never emancipated Betty and her children, and, even if he had, Betty was never legally married to Crook since interracial marriage was illegal in Virginia.

1828-034: Margaret J. W. Rice vs. Exrs. of William Rice:

Scope and Content

This suit involves a division of 68 people enslaved by William Rice prior to his death. Details noted about the enslaved people as part of the division include their names; familial relationships; marriages [which were not formally recognized by the state of Virginia until 1866]; and valuations.

1828-055: Ishmael Harwell vs. John Jones:

Scope and Content

The bill and decrees associated with this suit are missing, so the cause of action unclear. However, the suit concerns the construction of a bridge over Meherrin Creek near Pennington's Ford (Brunswick, Va.). Affidavits, depositions, and accounts included in the suit provide details regarding work hours, injuries, and the skills of the 17 enslaved workers and two free Black men who worked on the bridge.

1829-011: Richard R. Brown vs. John Taylor etc.:

Scope and Content

Richard R. Brown alleged that Benjamin Taylor, John Taylor's brother, helped John Taylor avoid the payment of a debt due Brown and others by falsely claiming over 20 people enslaved by the defendant. Brown claimed that John Taylor planned to move to Florida with the enslaved persons and he sought an injunction to prevent Taylor from removing the enslaved persons from the state.

1829-014: William H. Gholson vs. Admr. of Thomas Gholson:

Scope and Content

William H. Gholson was bequeathed two enslaved persons while a minor, during which time one was sold. One affidavit references Moses, an enslaved man, being sold "in order that he might go with his wife."

1830-027: Elizabeth Pritchett, etc. vs. Admr. of James Pritchett etc.:

Scope and Content

Elizabeth Pritchett, widow of James Pritchett, and several of James Pritchett's heirs sought the court's aid in dividing and distributing his estate. Pritchett asked the court to recognize her dower rights to 1/3 of the land owned by the decedent and to 1/3 of the people enslaved by the decedent in Alabama and Arkansas. The suit includes valuations of over 50 named enslaved people.

1832-019: Henry Price, etc. vs. Admr. of Edwin C. Drummond, etc.:

Scope and Content

Edwin C. Drummond, the defendant, was a resident of Georgia. He was indebted to Henry Price, one of the plaintiffs, and others for unpaid tailoring and footwear bills from his time as a student at the University of Virginia. The plaintiffs sought to recover the debt through land Drummond owned in Brunswick County. Consult the [UncommonWealth blog](#) for a post about this chancery cause published on August 7, 2019.

1833-033: John H. Walker vs. Robert S. Hardaway, etc.:

Scope and Content

John H. Walker, the complainant, and Robert S. Hardaway, the defendant, were partners in a business involved in the trade of enslaved persons from 1819 to 1822. Two letters from Walker to Hardaway discuss cotton prices, the surplus of enslaved people in the Georgia market and the resulting adverse effect on prices, and Walker's trip from Virginia to Georgia through the Carolinas with several enslaved people.

1838-039: Petition of Mary L. Ogburn by etc.:

Scope and Content

Lucy L. Birthright, the mother of Mary A. L. Ogburn, sought to pay her daughter's expenses at a school for the "deaf and dumb" through the sale of several persons enslaved by Birthright as her dower property.

1842-017: Nancy Johnson widow, etc. vs. Thomas G. W. Johnson, Infant, etc.:

Scope and Content

Nancy Johnson claimed that Ben, an enslaved man, was a “notorious runaway” and thief “whose conduct has so alarmed and inflamed the public against him that he is liable to be in constant danger of being put to death.” She hoped to sell him and invest the proceeds in another enslaved person.

1843-040: Harrison Heartwell vs. John L. Lightfoot, etc.:

Scope and Content

This suit involves the sale of Nathan, an enslaved man. It also includes Lightfoot’s memorandum book, which lists several enslaved people sold on his trips from Virginia to Alabama in the 1830s and 1840s.

1847-021: George W. Smith & wife vs. Trsts. of John F. E. Lewis, etc.:

Scope and Content

Jesse and Allen, two enslaved men, drowned in the Meherrin River after being ordered by Benjamin Hall to gather wheat growing along the edge of the water. Hall attempted to save Jesse and Allen by sending other enslaved persons to assist them and later claimed that he was unaware of Jesse and Allen’s inability to swim. John F. E. Lewis, Hall’s employer, had borrowed Jesse and Allen from the estate of Gray Dunn, of which he was the executor. Lewis sought to deny responsibility for the drowning of Jesse and Allen and clear himself and Hall of any liability or monetary responsibility.

1856-013: William H. Taylor, etc. vs. Jesse A. Taylor &c by etc.

Lucretia Atkins vs. William H. Taylor, etc.

L. Atkins vs. George E. Taylor, etc.:

Scope and Content

Lucretia Atkins asked that the court allow her to transport Mortimore, a man enslaved by Atkins, to Richmond and sell him there, believing there was “danger of his being destroyed” in Brunswick County. She claimed that he broke into a storehouse and accused several white persons of complicity, after which they threatened to kill him.

1859-032: Alexander E. M. Samford, etc. vs. Exr. of William Samford:

Scope and Content

William Samford desired that enslaved persons belonging to his estate be emancipated. He instructed his executor and his two oldest sons to petition the legislature of Virginia to permit the enslaved persons to remain in the county as long they conducted themselves in an orderly and industrious manner. Some of the enslaved persons to be emancipated included Catherine Collier, Lucy Ann, Liberia Ann, Freeman White, and John Arthur. See also 1857-031: Exr. of William Samford vs. Susan J. Samford, etc., and 1857-038: Exr. of William Samford vs. Alexander Eugene Mason Samford, etc.

1867-016: R. R. Jones, Sr., etc. vs. D. S. Hicks, etc.:

Scope and Content

In this suit, deponents discuss the arrival of Union soldiers sent to Brunswick County and the establishment of a tribunal by the Freedmen’s Bureau, allegedly to protect the county’s Black inhabitants. At the time, the Black population outnumbered the white population and supposedly entertained “exaggerated notions of freedom.” The deponents claim that the Union soldiers, after attempting to associate with the local white population and being rebuffed/facing rejection, instead held company with members the Black population, “over whom [the soldiers] exercised a pernicious influence.” They were “led astray” by the soldiers, who purportedly desired revenge against the white population.