

A Guide to the Lancaster County (Va.) Chancery Causes, 1722-1936

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History

Processed by: J. Hopewell, J. McDaid, and G. Crawford

Title Statement

A Guide to the Lancaster County (Va.) Chancery Causes, 1722-1936

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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, 02 August 2007

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

Lancaster County (Va.) Circuit Court

Physical Characteristics

Digital images; 25.8 cubic feet (66 boxes)

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Lancaster County (Va.) Chancery Causes, 1722-1936, 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 records came to the Library of Virginia in a transfer of court papers from Orange County (Va.) in 2012 under accession number 50291 and under an undated accession. An additional record was returned from the National Archives in November 1949 under accession number 23476d.

Processing Information

Lancaster County was processed in three separate batches. The first batch was completed in 1994. Additional records were later found at the Library of Virginia and processed in 2008. The final batch was completed in 2012 after an additional accession was transferred to the Library of Virginia from the Lancaster County Circuit Court. Each successive batch of processed records was indexed and filed at the end of the series rather than interfiled.

Digital images were generated by Crowley Micrographics in 2007 through the Library of Virginia's Circuit Court Records Preservation Program.

Additional records transferred to the Library of Virginia in 2012 were digitized by Backstage Library Works in 2013 through the Library of Virginia's Circuit Court Records Preservation Program

Item previously cataloged as "Lancaster County (Va.) Will of Archibald Hinton, 1854" under accession number 23476d has been interfiled in the cause 1856-012: Admr. of Archibald Hinton etc. vs. John Robbins etc. by J. Taylor; 2023.

Encoded by G. Crawford: 2007; Updated by J. Taylor: August 2023.

Preferred Citation

Lancaster County (Va.) Chancery Causes, 1722-1936. (Cite style of suit and chancery index no.). Local government records collection, Lancaster County Court Records. The Library of Virginia, Richmond, Virginia.

Adjunct Descriptive Data

Related Material

Additional Lancaster County Court Records can be found on microfilm at The Library of Virginia. 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: Lancaster County was named probably for the English county. It was formed from Northumberland and York Counties sometime between 26 March and 16 September 1651. The county court first met on 1 January 1652. The county seat is Lancaster.

Scope and Content

Lancaster County (Va.) Chancery Causes, 1722-1936, 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.

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.

1772-002: John Carter vs. John James and wife

Scope and Content

The suit discusses the complexities of blended families in the eighteenth century. Widower Johnn Carter married widow Mary Pollard in 1754. Both had children from previous marriages. Carter refers to the strained relationship with his stepchildren.

1857-011: Adms. of William Kelley vs. James W. Kelley, etc. and Exrs. of James Kelley vs James W. Kelley, etc.

Scope and Content

The plaintiffs in this consolidated suit wanted the court's assistance to divide the vast real and personal property of the deceased brothers James and William Kelley. Both were also partners in a mercantile business located in Kilmarnock. They left a vast inheritance to the Protestant Episcopal Theological Seminary and Protestant Episcopal High School near Alexandria, Virginia and to the Protestant Episcopal Domestic and Foreign Missionary Society. The brothers jointly and separately enslaved people to work on their plantations, Richland and Lynums. The brothers, in their wills, emanipated all the people they had enslaved and left them funds, on the condition the newly freed people use the money for their transportation to Liberia. Jerry and Armistead, two of the enslaved men, chose to be re-enslaved rather than move to Liberia.