

# A Guide to the Scott County (Va.) Chancery Causes, 1816-1942 (bulk 1873-1912)

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## History

**Processed by:** Library of Virginia staff

## Title Statement

A Guide to the Scott County (Va.) Chancery Causes, 1816-1942 (bulk 1873-1912)

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**Author:** Greg Crawford

## Publication Statement

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## Profile Description

**Creation:** Machine-readable finding aid derived from MARC record, created by G. Crawford, 05 January 2009

**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

Scott County (Va.) Circuit Court.

### Physical Characteristics

95.55 cubic feet (207 boxes); Digital images

### Location

Library of Virginia

### Repository

The Library of Virginia

## Administrative Information

## Access Restrictions

Scott County (Va.) Chancery Causes, 1816-1912 digital images can be found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Some post-1912 material has been processed and indexed, other material remains unprocessed. That indexed information can be 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 Scott County (Va.) in 2011 under the accession number 50205 and under an undated accession.

## Processing Information

The majority of these records were processed in 1995. There are no current plans to process any additional post-1912 records at this time.

Encoded by G. Crawford: 2009; Updated by E. Swain: 2025

## Preferred Citation

Scott County (Va.) Chancery Causes, 1816-1942. (Cite style of suit [and chancery index no. if available]). Local government records collection, Scott County Court Records. The Library of Virginia, Richmond, Virginia, 23219.

# Adjunct Descriptive Data

## Related Material

Additional Scott 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."](#)

See also: [Scott County \(Va.\) Circuit Superior Court of Law and Chancery Executions, 1834-1841.](#)

See also: [Lee County \(Va.\) Chancery Causes.](#)

See also: [Wise County \(Va.\) Chancery Causes.](#)

## 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:** Scott County was named for Winfield Scott, a native of Virginia, in recognition of his victories during the War of 1812; he was later commanding general of the American army during the war with Mexico, 1846-1848. It was formed from Lee, Russell, and Washington Counties by a statute adopted on 24 November 1814. The county court first met on 14 February 1815. The county seat is Gate City.

## Scope and Content

Scott County (Va.) Chancery Causes, 1816-1942, 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.

These records contain one box of "Orphan Chancery." These records contain parts, often single items, of

chancery causes which could not be further identified as belonging to a certain case.

## 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.*

### **1828-001: Madison Hill vs. Heirs of Joseph Johnson:**

#### **Scope and Content**

Testimony in this case mentions that four of Joseph Johnson's children were captured and carried off by Indigenous persons during the early settlement of the county by the English.

### **1830-017: Joseph Jones and Wife vs. Thomas M. Carter:**

#### **Scope and Content**

A witness mentioned the death of an early settler's wife and two daughters who were killed during a conflict with Indigenous people.

### **1831-009: Barbara, etc. vs. Jonathan Osborn, etc.**

### **1832-009: Jonathan Osborne vs. Barabara, etc.**

### **1837-001: Barbara, etc. vs. James Osborn, etc:**

#### **Scope and Content**

All three cases concern Barabara's, a free African American mother, determined but unsuccessful attempts to free her children from slavery.

### **1873-034: Sampson S. Robinett vs. Samuel Babb, etc:**

#### **Scope and Content**

Witnesses in this suit described a pro-Union judge who surrounded himself with a group of armed men and consistently ruled against individuals with pro-Confederacy sympathies.

### **1874-004: Henry S. Carter, etc. vs. Admr. of M. D. Webb, etc:**

#### **Scope and Content**

In 1863, Carter was serving as the sheriff of Scott County, and among his other duties, he was responsible for tax collection. However, he and his deputies were prevented from collecting taxes in certain parts of the county due to the residents' violent opposition to Confederate authorities.

### **1890-019: I. A. Nickels vs. Robert R. Kane, etc:**

#### **Scope and Content**

Kane agreed to sell to Nickels a certain tract of land, but later refused to honor the contract. When Nickels sued to force Kane to comply with their agreement, the defense declared that the contract should be voided because Kane was young, inexperienced in business dealings, and most importantly, because Kane had been drinking heavily when he agreed to sell the land.

## **1893-010: George M. Edmonds vs. Corporation of Gate City:**

### **Scope and Content**

In 1892, the Gate City authorities passed an ordinance that created a license tax on certain professionals such as physicians, attorneys, and architects among others. Edmonds, a lawyer, successfully challenged the constitutionality of this statute and had it overturned.

## **1897-057: Town of Gate City vs. Colonel J. B. Richmond:**

### **Scope and Content**

Included as an exhibit in this case is a very detailed plat of Gate City dated 1890.

## **1898-031: Virginia Anderson, by etc. vs. Epps G. Anderson:**

### **Scope and Content**

Testimony in this case reveals that in order to frighten and drive her husband away, Virginia claimed to have brought a ghost into their house.

## **1901-058: Trsts. of the Regular Primitive Baptist Church of Copper Creek for etc. vs. Trsts. of the Regular Primitive Baptist Church of Copper Creek, etc:**

### **Scope and Content**

After members of the church split into two factions over the doctrine of absolute predestination, each group sought to control the church property.

## **1902-029: Petition of Dr. W. O. Perkins:**

### **Scope and Content**

As an infant, Ella B. Flanary was abandoned in a wooded area by her mother. After being found by a passerby who heard Ella's cries, she was taken in by Perkins. Perkins petitioned the court to legally adopt Ella and to change her last name to his own.

## **1910-053: South and Western Railroad Co. vs. N. J. Horn, etc:**

### **Scope and Content**

The South and Western Railroad Co.[successor to the Charleston, Cincinnati, and Chicago Railroad Co.] obtained a right-of-way to build it's railroad through the lands of Horn and several members of the Mann family, against these land owners' objections. In order to prevent the construction of the railroad, the land owners put up fences across the road bed and even drove away the company's workers at gun point.

## **1911-018: Wiliam Sergent vs. Belle Sergent:**

### **Scope and Content**

In his bill for divorce, William stated that the, "marriage was not voluntarily and willingly contracted and entered into by him of his own free will and volition. But upon the contrary he alleges and charges that said marriage was entered into on his part solely through fear, intimidation, duress and threats of death, or serious bodily injury, at the hands of the said Hicks Horn, Orbin Horn and Robert Stallard [Belle's relatives], who threatened and told him, if he refused to go with them to Bristol, Tenn., and marry the said defendant, that they would then and there blow his brains out".