

A Guide to the Highland County (Va.) Chancery Causes, 1848-1912 (bulk 1868-1912)

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A Collection in the Library of Virginia
Library of Virginia
2010

Author: Greg Crawford

History

Processed by: Field Processors and Vincent T. Brooks

Title Statement

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Subtitle: Highland County (Va.) Chancery Causes, 1848-1912 (bulk 1868-1912)

Author: Greg Crawford

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, 05 April 2010

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

Highland County (Va.) Circuit Court.

Physical Characteristics

Digital images; 0.45 cubic feet (1 box).

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Highland County (Va.) Chancery Causes, 1848-1912, 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

Digital images were generated by Backstage Library Works in 2010.

Processing Information

Digital images were generated in 2010 by Backstage Library Works through the Library of Virginia's Circuit Court Records Preservation Program.

Highland County Chancery Causes were initially processed in the locality by field processors and reprocessed by Library of Virginia staff in 2009. Additional chancery causes were found at the Library of Virginia after the initial scanning in 2010.

Encoded by G. Crawford: 2010; updated by J. Taylor: December 2023.

Preferred Citation

Highland County (Va.) Chancery Causes, 1848-1912 (bulk 1868-1912). (Cite style of suit and chancery index no.). Local government records collection, Highland County Court Records. The Library of Virginia, Richmond, Virginia.

Custodial History

Records transferred to the Library of Virginia from the Circuit Court of Highland County for processing and reformatting. Original Records returned to the locality by request of the clerk of the Circuit Court. One box of Highland Chancery remains at Library of Virginia; it contains additional chancery records found at the Library after scanning.

Adjunct Descriptive Data

Related Material

Additional Highland 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: Highland County was so named because of its high altitude, which ranges from 1,611 to 4,491 feet, giving it one of the highest mean-elevations east of the Mississippi River. The county seal identifies it as "Virginia's Switzerland." It was formed from Pendleton (now in West Virginia) and Bath Counties in 1847. The county seat is Monterey.

Scope and Content

Highland County (Va.) Chancery Causes, 1848-1912 (bulk 1868-1912), 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

Since the processing of this locality, information gathering standards have changed. At this time there are no suits of interest available for this locality.