

A Guide to the Loudoun County (Va.) Chancery Causes, 1758-1912

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History

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Profile Description

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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

Loudoun County (Va.) Circuit Court.

Physical Characteristics

Digital images.

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Loudoun County (Va.) Chancery Causes, 1758-1912, 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

The records came to the Library of Virginia in 2010; the physical records were not accessioned into the collection.

Digital images were generated by Backstage Library Works in 2011.

Processing Information

Loudoun County was processed in the locality by field processors.

Digital images were generated in 2011 by Backstage Library Works through the Library of Virginia's Circuit Court Records Preservation Program.

Encoded by G. Crawford: 2011; Updated by J. Taylor: October 2023.

Preferred Citation

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Custodial History

Records transferred to the Library of Virginia from the Circuit Court of Loudoun County for reformatting. Original records returned to the locality by request of the Clerk of the Circuit Court.

Adjunct Descriptive Data

Related Material

Additional Loudoun 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](#).

Location of Originals

Original Loudoun County (Va.) Chancery Causes are retained in the locality. Contact the Clerk of the Circuit Court for access.

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: Loudoun County was named for John Campbell, fourth earl of Loudoun, who was commander of British forces in North America during the early part of the French and Indian War and governor of Virginia from 1756 to 1759. It was formed from Fairfax County in 1757. The county seat is Leesburg.

Scope and Content

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Loudoun County (Va.) Chancery Causes, 1758-1912 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.

Before the Civil War, a number of Loudoun County Chancery Causes dealt with emancipation and anti-slavery advocacy on the part of both Black and white southerners, as well as both free and enslaved people. The cases document anti-slavery work as well as the push back against the movement. The cases also demonstrate the varied perspectives on what emancipation looked like to the different groups of people.

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.

1758-002: William Hancock vs. James Nesbitt

Scope and Content

The case was a dispute over the amount owed to James Nesbitt for medical services he provided to William Hancock's wife.

1832-148: Children of Augustine G. Monroe vs. James Monroe, trst., etc

Scope and Content

The children of Augustine G. Monroe filed suit to have a group of enslaved people sold, the proceeds divided among them and invested.

1835-055: Gustavus A. Moran v. Admr. of William Moran, etc.

Scope and Content

This chancery case disputed the distribution of Gustavus Moran's estate, especially the people he enslaved. Gustavus stipulated in his will that the enslaved people were not to be sold to southern slave dealers.

1837-032: Exr. of Archibald Mains, etc. v. Mason Chamberlin and wife, etc.

Scope and Content

Per last will and testament of Archibald Mains, the people he enslaved were to be emancipated on the advice of the Agents and Officers of the American Society for Colonizing Free People of Colour.

1846-025: Exr. of Charles Binns vs Verlinda Perry, widow

Scope and Content

Jarret was formerly enslaved by Verlinda Perry. In 1839, he was convicted and found guilty for distributing anti-slavery materials. He was sentenced to 20 lashes and sold for 800 dollars outside the boundaries of

the United States. The executor of Charles Binns requested 800 dollars in this chancery case from Verlinda Perry.

1852-035: Trustees of Methodist Episcopal Church Leesburg vs. Levin W. Hough, trustee, etc.

Scope and Content

The suit involved members of a local Methodist Episcopal church, who were split ideologically on the issue of slavery; the split of the local level parishioners reflected the larger problem within the national church. The plaintiffs were pro-North and defendants were pro-South.