

# A Guide to the Accomack County (Va.) Chancery Causes, 1718-1912 (bulk 1870-1912)

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## Descriptive Summary

### Language

English

### Collector

Accomack County (Va.) Circuit Court.

### Physical Characteristics

Digital images; 120.15 Cubic feet (261 boxes)

### Location

Library of Virginia

### Repository

The Library of Virginia

## Administrative Information

## Access Restrictions

Accomack County (Va.) Chancery Causes, 1718-1912 use digital images found electronically on the [Chancery Records Index](#) available on 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 Accomack County under accession number 44262 and an undated accession.

## Processing Information

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# Adjunct Descriptive Data

## Related Material

Additional Accomack County Court Records can be found on microfilm at The Library of Virginia. See [A Guide to Virginia County and City Records on Microfilm](#)

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

## 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:** Accomack County was named for the Accomac Indians, who lived on the Eastern Shore at the time of the first English settlement in Virginia. The word means "on-the-other-side-of-water place" or "across the water." It was one of the original eight shires, or counties, first enumerated in 1634 and spelled Accomac without the k. The county's name was changed to Northampton County in 1643. The present county was formed from Northampton about 1663. In October 1670, the General Assembly temporarily reunited Accomack and Northampton Counties as Northampton County. In November 1673, Accomack County was again separated from Northampton. In early records, the county's name was spelled many ways. In 1940 the General Assembly adopted the present spelling, Accomack. The county gained a small part of the southern end of Smith's Island from Somerset County, Maryland, in 1879, after the United States had approved boundary changes between Virginia and Maryland that had been agreed to in 1877. The county seat is Accomac.

**Lost Records Note:** One of the original shires recognized in 1634, it became part of Northampton County in 1643, reverted to Accomack about 1663, merged into Northampton again in October 1670, and reverted to Accomack for the final time in November 1673. A significant number of loose records from the 1700s suffered extreme water and pest damage. Volumes that record deeds, court orders, and wills exist.

## Scope and Content

Accomack County (Va.) Chancery Causes, 1727-1876 (bulk 1769-1876) 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.

Because the locality includes many of the islands located in the Chesapeake Bay, there are a fair amount of causes dealing with property on Chincoteague, Tangier, and various smaller islands. These causes in general detail life and business along the bay and Atlantic Ocean including maritime shipping, trade, and shipbuilding. Additionally, due to proximity to Delaware and Maryland, there are a number of causes that deal with disputes across these boards.

Chancery causes before 1870 contain a substantial amount of information concerning enslaved Black men, women, and children. While there are several suits concerning the freedom of enslaved individuals, 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.

Chancery causes from the 1830s-1850s contain several instances of disputes concerning military land bounty warrants and various issues concerning property acquire as part of these bounties.

There are a fair amount of cases, 1908-1912, which include shorthand notes.

## 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

### **1769-007: Thomas Bagwell, etc., vs. James Arbuckle:**

#### **Scope and Content**

Bill of complaint describes trip to collect oysters on Cedar Island, discovery of a ship wreck, and gathering of scraps. Plaintiffs were charged with theft by Arbuckle, who had already bought rights to the wreck.

### **1770-001: Levin Teackle, etc. vs. Jesse Hunt, etc.:**

#### **Scope and Content**

Case involves a dispute over a contract to manage cattle grazing on Cedar Island.

### **1774-010: Stephen Warrington vs. Nancy Warrington, etc.:**

#### **Scope and Content**

Case involves a widow who acquired assets of her own after her husband's death.

### **1779-009: John Michael vs. John Gootee:**

#### **Scope and Content**

Contract dispute. Case contains lengthy depositions about alleged fraud. The plaintiff claims he was held against his will and kept drunk, then swindled from his land.

### **1783-013: Edward Ker vs. Attalanta Guttridge, etc.:**

#### **Scope and Content**

The case contains a 1777 letter with a reference to the Battle of Brandywine.

### **1786-012: Petition of Sampson (enslaved) alias Sampson George:**

**Scope and Content**

Freedom suit. The suit claims Sampson is held illegally in slavery because he was imported illegally to Virginia from Delaware by Robert Foreman, citizen of Delaware, after the Virginia legislature passed a Non-Importation Act in 1778. The only document in the case is the petition, with notes from the court on the reverse indicating Foreman is not available for questioning.

**1786-013: Moses Hinman, Jr. vs. Antoine Baviere:****Scope and Content**

The case involves a dispute over an agreement stipulating Hinman would help Baviere navigate his ship to Philadelphia.

**1786-014: Ishmael Andrews vs. George Yount:****Scope and Content**

The case involves a vessel that was condemned in Admiralty Court for trading contraband with the enemy during the Revolutionary war.

**1787-001: Skinner Wallop vs. Exr. of Agnes Parish:****Scope and Content**

The plaintiff seeks compensation for her share of inheritance, on the grounds that the slaves she inherited didn't do much work. The case includes a deposition about the division of the estate in which a slave asked "where he and his wife should go."

**1789-003: Edward Ker vs. Charles Bagwell:****Scope and Content**

Contract dispute involving a business deal to ship timber from the Eastern Shore to the West Indies.

**1790-003: Exr. of Zorobabel Rodgers vs. Charles Bayly Taylor:****Scope and Content**

Case involves a business partnership to trade in small vessels along the coast.

**1790-019: Hannah Pitt vs. Jabez Pitt:****Scope and Content**

Plaintiff sues for separate maintenance and alimony to support an unborn child.

**1790-020: London (enslaved) vs. John Kellum:****Scope and Content**

Freedom suit. The plaintiff purchased his own freedom. London alleges his former enslaver illegally sold him after he had purchased his freedom. The case contains depositions in which witnesses describe how the enslaved man London took care of two little girls after their father, his enslaver, moved away and left them to fend for themselves.

**1793-014: Tabitha Holstein vs. William Drummond:****Scope and Content**

Case contains a letter that describes military action during the Revolutionary War: the march of the 9th Virginia Regiment to Philadelphia in 1777, and small pox.

**1795-001: Exrs. Of Ezekiel Young, etc. vs. Legts. Of George Hope, Sr.:****Scope and Content**

Case contains an exhibit from a jury trial describing alleged theft of corn by enslaved people.

## **1796-017: Exx. Of Richard Drummond vs. Edward Custis:**

### **Scope and Content**

The case involves a business partnership involving the Schooner Sally, which made several voyages from the West Indies to Baltimore.

## **1796-019: Littleton Savage and Wife vs. Arthur Bradford, Exr.:**

### **Scope and Content**

The case involves an emancipation of enslaved people.

## **1797-001: Thoroughgood Smith vs. Robert Twiford:**

### **Scope and Content**

Case identifies Joseph Outten as someone who helped Henry Trader repair a vessel, and Smith as owning a counting house in Baltimore.

## **1800-001: Thomas Custis by etc. vs. Peter Custis, etc.:**

### **Scope and Content**

The case pertains to the sale of a Presbyterian Meeting House in the town of Drummond that was sold under the provisions of disestablishment.

## **1800-002: John Nock, etc. vs. Betsy Nock, etc.:**

### **Scope and Content**

The case documents the sale of a child to satisfy debts on her father's estate.

## **1800-006: Rebecca Joynes vs. John Bowles.:**

### **Scope and Content**

The case concerns the estate of a person presumed lost at sea in a severe gale of wind, circa 1788.

## **1800-020: Exr. of Levin Walker vs. Richard Read and wife, etc.:**

### **Scope and Content**

The suit indicates that the enslaved individuals named in the suit had previously sued for their freedom.

## **1801-005: Petition of Mary (enslaved):**

### **Scope and Content**

Freedom suit filed by a woman claiming freedom on account of her Native American ancestry through her mother, Mall Cook, "one of the native aboriginal Indians of this country."

## **1804-012: Susanna West, etc. vs. Heirs of Revil West:**

### **Scope and Content**

The case involves a self emancipating enslaved person.

## **1813-012: Ann Custis by etc. vs. Thomas Custis:**

### **Scope and Content**

Separate maintenance cause with testimony about the character of the wife alleging she kept her child "remarkably dirty" and used spirituous liquors intemperately.

## **1815-010: Elizabeth Wise vs. Esther, etc.:**

### **Scope and Content**

The cause contains a reference to a suit in Maryland in which Esther, the admx. Of Mckee Wise, had sued Elizabeth Wise for her freedom and won.

## **1834-001: Children of Shadrack Ames vs. Thomas M Bayly:**

### **Scope and Content**

Cause concerns the military land warrant of Levin Bird, pilot in the Virginia Navy during the Revolutionary war. Warrant No. 6835.

## **1838-011: Exr. of Charles Mason vs. John Bull:**

### **Scope and Content**

Cause involved a dispute between partners of Bull and Mason, a firm involved in trafficking enslaved people. The records include a folder of receipts for the sale of enslaved people, slave prison charges, names of purchasers of enslaved people, charges for passage to Norfolk, and other information about the firm.

## **1841-019: Hugh G. Seymour, etc. vs. Admr. of Charles Mason, etc.:**

### **Scope and Content**

Cause concerns the estate of Charles Mason, partner in the firm Bull and Mason which was involved in the trafficking of enslaved people. Mason's will provided for the emancipation of several slaves he owned.

## **1842-014: Levin James and wife, etc. vs. John Bull, Sr.:**

### **Scope and Content**

Cause records genealogy of the Bull family.

## **1845-008: Jackson D Tunnell and wife, etc. vs. Henry Bagwell, etc.:**

### **Scope and Content**

Cause involves a dispute among heirs over emancipation of enslaved people in an estate. Includes references to other case law on emancipation and rights of heirs.

## **1847-001: E. B. Ayres, etc. vs. Thomas R. Joynes, etc.:**

### **Scope and Content**

Contract dispute pertaining to construction of a Presbyterian Church in Drummondtown. Suit contains accounts documenting construction of the church.

## **1848-005: Petition of Ned (enslaved):**

### **Scope and Content**

Freedom suit filed by Ned, who along with other enslaved people was emancipated by the will of John Custis, Sr.

## **1849-006: George F. Smith vs. Littleton H. Young and Petition of Emily Smith:**

### **Scope and Content**

The plaintiff sues the defendant for fraud for his part in drawing up an agreement between himself and his wife intended to persuade his wife to return to the marriage. The cause contains Emily Smith's petition for a divorce in Maryland. The husband charges his wife with disobedience, and she accuses him of physical abuse.

## **1850-021: James Polk v. Hudson Cannon, etc.:**

### **Scope and Content**

Cause involves fraud. It contains copies of warrants 7204-7209 and land surveys issued to Luke Cannon for his service during the Revolutionary War.

## **1851-027: Thomas Cropper vs. William H. Parker, etc.:**

### **Scope and Content**

Cause involves a business enterprise to sell spirits in the Republic of Texas.

## **1851-034: Polly Wharton(enslaved), for etc. vs. Thomas M. Bayly, etc.:**

### **Scope and Content**

Freedom suit filed by Wharton on behalf of herself and her daughter. The plaintiff claims she and her daughter were the property of Elizabeth Wharton, who freed all her enslaved people in her will, proven in 1831, not the property of William H. West. She and her daughter have been seized by the sheriff and are being offered for sale to pay West's creditors. West claims he owns Polly Wharton because Elizabeth Wharton gave him to her. Polly Wharton claims she was loaned, or hired, to West, and that Elizabeth Wharton reclaimed possession of her and received rents for her labor when West moved back into Wharton's household. In 1833, the court awarded an injunction preventing the sale, and Bayly, Administrator of Elizabeth Wharton, waived the court's demand for security. The cause wasn't dismissed until 1851. See also 1851-035, Admr. of Elizabeth Wharton vs. William H. West.

## **1852-029: Thomas H. Parramore and wife, etc. vs. Edward W. Taylor:**

### **Scope and Content**

Cause contains an oversize partially colored plat of parts of Wallop's Island marshes, adjacent to Wallop's Island and Cingateague [sic]. Includes rough sketch of home near marshes near present-day NASA launch site. See also 1840-013 for copy of original land grant.

## **1858-008: Elizabeth P. Justice vs. James H. Justice:**

### **Scope and Content**

Cause contains detailed depositions giving a portrait of how food and rations were used as a measure of control over enslaved people and servants. Describes store-keeping and keeping food from servants and enslaved people after a hog-killing.

## **1867-010: John D. Tyler, etc. vs. Thomas Richardson:**

### **Scope and Content**

Cause involves a dispute over property claimed by a Methodist congregation that divided over enslavement. Depositions describe the split of the congregation in Onancock.

## **1873-236: Norris P. Newton and wife, etc. vs. George A. Buckingham and wife:**

### **Scope and Content**

Elizabeth F. Seymour died in Accomack County in 1864. She did not have any children. Her husband, parents, and brothers were dead. Her heirs were the descendants of her grandfather, Henry Fisher. There were people claiming to be the descendants of her maternal grandfather, but they were not successful in getting shares of her estate. Mrs. Seymour's heirs lived in different parts of the United States: Benton County, Oregon; City of Cincinnati, Ohio; City of Philadelphia, Pennsylvania; Kent County, Delaware; Talbot and Queen Anne's Counties, Maryland; Tennessee; Boston, Massachusetts; Newark, New Jersey; Sonoma County, California; San Francisco, California; and a few lived in Accomack County.

## **1876-012: Lewis S. Snead etc. vs. James J. Edwards:**

### **Scope and Content**

James J. Edwards was tax collector for the Township of Lee. He advertised the sale of Mr. Snead and eight other men's property for not paying the free school tax. The plaintiffs sued for an injunction to prevent the sale of their land. The bill of complaint provide a detailed account of how the rules of law were not followed in creating the school tax. The court agreed with the plaintiffs and issued a perptual injunction.

## **1876-025: George J. Northam and wife, etc. vs. Admr. of William Nock:**

### **Scope and Content**

This cause contains information about enslaved people who were hired out by Zadock Nock. There are depositions given by white individuals and former enslaved people concerning which enslaved people were hired out, to whom they were hired, and for how long they were hired. The enslavers were named in the depositions. One deponent Stephen Godwin was asked when the Federal troops came into Accomack and when enslaved people were freed. Godwin was asked if he, Emma, Let, Eliza, and Handy remained in the homes of the people who hired them from the time of the arrival of the Federal troops until March 1864 when the slaves were freed in Accomack County. He was also asked about the names of the mothers of the enslaved people and their children. This cause has a copy of an agreement between James C. Taylor and Zadock Nock made on February 28, 1857 in which Taylor agreed to keep an enslaved woman named Mary and her children for the first year. If Mary had a child during that first year, Zadock Nock was to pay James Taylor five dollars. There is a receipt from James C. Taylor for "five dollars for keeping some negroes belonging to Z. Nock children" for the year 1857. Another receipt from "Zadock Nock in cash ten dollars in part pay for a claim against Nock for keeping some negroes belonging to the children of A. Nock. April 19, 1856."

## **1880-030: Laura Maddox vs Robert S. Drummond**

### **Scope and Content**

Laura Maddox sued Robert S. Drummond for not marrying her after promising to do so. She won the suit but this current suit is to receive the judgment that she was awarded by the court previously that Robert Drummond did not pay. She is suing for part of his real estate to pay for the judgment.

## **1880-032: Sylvanus W. Russell and Wife vs Sylvanus Pares and Wife, etc.**

### **Scope and Content**

Estate Dispute involves families arguing over estate with two wills at the highlight of the dispute. First will is for James Russell 1868 where he leaves much of the estate to Mary, a woman he enslaved, with provisions for her children. Also, he leaves part of his estate to his brother George Russell. The second will 1871, is for Virnetta Russell the niece of George Russell, featuring division of land and possessions to her specific family members.

## **1882-035: William T. Bell vs William H. Lewis**

### **Scope and Content**

Contract Dispute case involves the selling of a skooner/or schoonerboat. This boat was owned by both the William T. Bell and William H. Lewis. Dispute occurred over the lack of payment by Bell to the Lewis for his portion of the boat.

## **1883- 025 : George Bradford vs Peter Savage**

### **Scope and Content**

Contract Dispute involves a dispute over payment for land that George Bradford charged to Peter Savage. The allegation was that Peter Savage, "colored" man, made partial payment on the agreed upon price but did not pay the full amount.

## **1884-005: Charles H. Sturgis vs Charlottee E. Sturgis**

### **Scope and Content**

Divorce case. Case features two receipts certified in judicial court from the Territory of Arizona, County of Cochise and the other receipt features a court receipt heard in Napa Valley California.

## **1884-005: Charles H. Sturgis vs Charlottee E. Sturgis**

### **Scope and Content**

Estate Dispute involving a guardian David Whealton suing his half-sister Ellen Rayne who marries Edward P. Timmons and no longer needs a guardian for her portion of the estate. Whealton claims he has not received his proper portion of the estate and it is owed to him by Ellen Timmons. The property is on

## **1887-017: James W. Broughton, etc. vs A Frank Byrd, etc.**

### **Scope and Content**

Encumber case concerning members of the Methodist-Episcopal Church South and their desire to sell the church in order to purchase land for burial ground for members.

## **1888-014: Thomas A. Northam vs Edgar W. Robertson**

### **Scope and Content**

Trespass case concerning a dispute with plaintiff and the Mayor of Occomack and town officials over the maintenance of Norham property and building. Northam claimed town condemned the property despite his improvements.

## **1908-020: William J. Lewis vs. Mary S. Lewis**

### **Scope and Content**

William Lewis claims that Mary S. Lewis, his wife, left him only 11 hours after their marriage. See also: 1907-006 William J. Lewis vs. Mary S. Lewis which contains the same dispute but was dismissed by William Lewis.

## **1908-031: Joshua W. Williams, etc vs. Oswald M. Jones, etc**

### **Scope and Content**

Cause mentions that Chincoteague was incorporated 1900 March 7 and unincorporated 1901 July 1. Included is a list of individuals taxed while it was incorporated.

## **1912-014: Bertie Holeston Taylor vs. Harry Taylor**

### **Scope and Content**

Divorce case which notes that Harry Taylor shot at Bertie Holeston, his wife, 5 years prior to divorce during a court session.