

# A Guide to the Nelson County (Va.) Chancery Causes, 1808-1964 (bulk 1847-1911)

Nelson County (Va.) Chancery Causes, 1808-1964  
1808-1964



A Collection in the Library of Virginia  
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**Author:** Callie Lou Freed

## History

**Processed by:** Bari Helms and Callie Lou Freed

## Title Statement

A Guide to the Nelson County (Va.) Chancery Causes, 1808-1964 (bulk 1847-1911)

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**Author:** Callie Lou Freed

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## Profile Description

**Creation:** Machine-readable finding aid derived from MARC record, created by Callie Lou Freed, 2 May 2012

**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

Nelson County (Va.) Circuit Court.

### Physical Characteristics

Digital images; 184.87 cubic feet (353 boxes).

### Location

The Library of Virginia

## Repository

The Library of Virginia

# Administrative Information

## Access Restrictions

Chancery Causes 1808-1912, use digital images found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Additional post-1912 records are indexed but not scanned, however the majority of the post-1912 records are unprocessed. Contact Archives Research Services for availability.

## Use Restrictions

There are no restrictions.

## Acquisition Information

These items came to the Library of Virginia in transfer of court records from Nelson County in 2005 under the accession numbers 42148. An additional record came to the Library of Virginia in 1988 from Dave Zullo under accession number 33162c.

## Processing Information

Chancery Causes 1808-1912 were processed and indexed by Library of Virginia staff in 2013.

Some post-1912 records have been indexed but not scanned. These indexed records do not contain the complete run of records for each year. At this time, there are no plans to digitize these records.

Additional post-1912 records are unprocessed. At this time, there are no plans to index these records.

Digital images were generated by Backstage Library Works through the Library of Virginia's Circuit Court Records Preservation Program in 2014.

Encoded by C. Freed: 2012; Updated by J. Taylor: October 2023.

## Preferred Citation

Nelson County (Va.) Chancery Causes, 1808-1964. (Cite style of suit [and chancery index no. if known]) Local Government Records Collection, Nelson County Court Records. The Library of Virginia, Richmond, Virginia.

# Adjunct Descriptive Data

## Related Material

Additional Nelson 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:** Nelson County was formed in 1807 from Amherst County. The county was named for Thomas Nelson, Jr., governor of Virginia from June to November 1781. The county seat is Lovingston.

# Scope and Content

Nelson County (Va.) Chancery Causes, 1808-1964 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. Photocopies of documents may be found in the collection.

These records contain two boxes of "Orphan Chancery" which are processed but not indexed. 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.)

Post-1912 records are unprocessed.

## 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.*

### **1816-005: Tobias (free person of color) vs. Heirs of John Campbell**

#### **Scope and Content**

Tobias, a free man of color, sued for payment of a judgment he won against James Montgomery, the administrator of John Campbell.

### **1838-035: Eliza A. Figures vs. Christopher T. Estes**

#### **Scope and Content**

Eliza Figures worked as a housekeeper for Christopher T. Estes, a tavern owner in Livingston. Estes's wife was in a poor state of health, and Figures was hired to take care of the house business and culinary affairs. Figures claimed that, with the exception of a few articles of clothing, she was not paid for her services. Estes claimed that Figures left her husband and children in Tennessee and was living in his house as a guest and relative of his wife. Various depositions recount the work Figures did at the Estes house.

### **1840-013: Eliza Ann Figures vs. Dr. Matthew Figures**

#### **Scope and Content**

Eliza sued for a divorce claiming cruelty, abandonment, and repeated acts of adultery. Eliza accused Matthew of eloping with a Mrs. Aikens, and several letters in the case report their elopement to Tampico.

### **1840-014: Richard C. Pollard, Jr. vs. John Whitehead and others**

#### **Scope and Content**

Richard C. Pollard sued John Whitehead for the worth of Edmund, an enslaved man deeded to Pollard's mother by James Hopkins, her father, and later purchased by Whitehead. A deed of loan in the case between Elizabeth Pollard and James Hopkins, gave her control over a group of enslaved people who were to be freed after their terms of service were completed. Included as an exhibit in the case is the petition of Torrisman Lockett, an enslaved man who sued for his freedom on the basis that his mother Hannah was one of the enslaved people emancipated in the deed of loan and Hopkin's will. However the will stated that the male offspring of the enslaved women would be emancipated at the age of forty and at the time of his suit Torrisman Lockett was under the age of twenty-one.

### **1846-003: Sampson Green v. Henry Harper and others**

#### **Scope and Content**

Sampson Green described in the bill being born a free man outside the United States, but immigrated to the United States and was unlawfully held in bondage. He described being purchased by Henry Harper as an enslaved man and being hired out to work for other individuals. Green sued for compensation of his work on the basis of being born a free man.

## **1849-007: Nathan Lofftus v. Wiatt Jones**

### **Scope and Content**

Contains Inventory book, 1839-1840, of Lofftus and Jones that records inventories of merchandise in stock for the months of March 1839, and March and September 1840. Information found in invoice book includes name of merchandise, quantity of merchandise, price per item, and total amount. Items sold by Lofftus and Jones include paper, glass, brooms, books, dry-goods, clothing, knives, and scissors. Lofftus and Jones was a mercantile partnership formed by Nelson Lofftus and Wiatt Jones that conducted business in Nelson County during the mid-19th century.

## **1855-015: James Johnston v. Reuben Bowen**

### **Scope and Content**

James Johnston asserted his claim to the land Reuben Bower resided on and also admitted he feared for his life as Bowen was tried and convicted of murder in Albemarle County.

## **1857-032: James A. Stewardson, etc. v. Sarah M. Stewardson**

### **Scope and Content**

James A. Stewardson sought an injunction against Sarah A. Stewardson, his stepmother from selling Fanny, an enslaved woman, and Fanny's three children and removing the family from Virginia to Missouri.

## **1859-025: Vernon R. Loving and wife, etc. and John W. Witt v. Admr of John N. Burnett, etc. and Mary Ann Burnett, widow, etc.**

### **Scope and Content**

John N. Burnett and John W. Witt purchased a small lot of land with grist mill and house. SEE ALSO: 1840-050 for the account book of the newly restored grain mill.

## **1861-003: Edwin Gentry vs. Children of Nelson S. Shelton by, etc.**

### **Scope and Content**

Edwin Gentry sued for the right to sell Celia, an enslaved woman, on the basis that the proceeds of her sale would be the only means with which to provide for the children of Nelson Shelton.

## **1864-009: Mayo Cabell, surviving partner, etc. vs. Trustee of Virginia P. Mosby, etc.**

### **Scope and Content**

The case considered the last will and testament (1841) of Frederick Cabell of Buckingham County. At question is whether George, John, and Emaline, three enslaved people, be allowed their freedom. Also mentioned is the need to raise money to send the three to Liberia.

## **1871-060: Alexander Fitzpatrick vs. Supervisors of Nelson County**

### **Scope and Content**

The cause dealt with the issue of whether Nelson County's Board of Supervisors had the right to purchase and contract for lands to be used as a poor house farm for the paupers of the county.

## **1871-079: Elijah R. Walker vs. William H. Loving**

### **Scope and Content**

William H. Loving purchased Matilda, an enslaved woman, from Elijah R. Walker in March 1865. Loving paid

for Matilda with a portable steam saw mill. Matilda was left in the possession of Walker until after April 1865, when the Confederate Army surrendered, at which time Matilda asserted her right to freedom. Due to Matilda's freedom and no longer having any legal authority over her, Loving refused to honor his contract with Walker.

## **1874-009: Sallie F. Thurmond by, etc. vs. Exr of James Wood, etc.**

### **Scope and Content**

Included in the suit is a notice from the Richmond Whig dated the 10th of January 1860. The notice is for a public auction of enslaved people from an 1858 deed of trust executed by Maurice A. Brown.

## **1876-022: Francis F. Powell vs. William H. Rodes, etc.**

### **Scope and Content**

The cause dealt with a tract of land in Nelson County which contained a saw mill and a grist mill for the manufacture of flour.

## **1880-012: Sally V. Coleman, widow, Exx of George W. Hamner for, etc. and Robert Austin Hamner by, etc. v. Admr of Hawes N. Coleman, sr., etc., Hawes N. Coleman, jr., etc. and Nannie E. Coleman, exx, etc.**

### **Scope and Content**

The suit dealt with parties in both Albemarle and Nelson counties regarding the settlement of the estate of Dr. Hawes N. Coleman and the sale of his property. Coleman was described as having been "greatly reduced due to the effects of the late war."

## **1882-027: William D. Cabell v. John F. Hix, etc.**

### **Scope and Content**

The suit is concerned with the partnership for "the purpose of conducting and carrying on the Norwood School." The people involved with the school are accused of a gross misapplication of funds.

## **1882-032: Exr of Mary Walker Cabell, etc. and Charles Carter Lee, Rep., etc. v. Peyton H. Skipwith, etc. and Exr of Mary Walker Cabell, etc.**

### **Scope and Content**

The suits tried to ascertain all the relatives eligible to a claim in Mary Walker Cabell's large estate. Included in the oversized material for this cause is an intricate, hand drawn genealogical chart, front and back, dated August 7, 1863. It is labeled as the family of Charles Carter of Shirley Plantation, the paternal grandfather of Mary Walker Cabell. SEE ALSO: The Uncommonwealth blogpost ["A Tree Grows in Chancery"](#)

## **1884-020: Lemuel Turner vs Narcissa E. Dillard, etc.; William S. Dillard, etc. vs. Exr. of Terisha Turner, etc.; Exr. of Narcissa E. Dillard vs. Exr. of Terisha Turner, etc.**

### **Scope and Content**

The suit includes numerous references to Sheridan's raid in Nelson County. Several former enslaved people gave depositions. One exhibit is a division of enslaved people which included enslaved names, age, occupation, and familial relationships.

## **1885-029: William N. Dawson v. Pierce Loving**

### **Scope and Content**

The cause involved William N. Dawson and Pierce Loving, both of whom bidden on and were contracted to work on the roads in Nelson County.

## **1886-035: Robert J. Echols Gdn. etc. v. Heirs of John J. London, etc.**

### **Scope and Content**

The suit involved the sale of John London's estate, called Soldiers' Joy. References were made to the enslaver's perception of managing enslaved people as difficult. Deponents in the suit described the tensions between large farmers and the Confederate government during the war. Multiple references were made to scarcity and uncertainty of labor after the war. Includes large plat that contains locations of various buildings including the cabins used by the enslaved people on the plantation.

## **1890-045: Admr. of William C. Stevens vs. Mildred T. Stevens, etc.; William L. Burks and wife, etc. vs. Admr. of Alexander Fitzpatrick; Admr. of William C. Stevens, etc. vs. John F. Stevens, etc.**

### **Scope and Content**

The suit includes Richmond Fire Association insurance policies taken out on two enslaved people. They were hired out as laborers to the Virginia and Tennessee Railroad Company.

## **1892-042: Admr. of Lemuel Turner vs. Emily Rushbrook Thomas, etc.**

### **Scope and Content**

Emily Rushbrook Thomas was enslaved by Lemuel Turner prior to the Civil War and became his paid house servant after the war. She was also Turner's daughter. In his will, Turner left Thomas an inheritance for her loyal service.

## **1896-029: Admr. of William Faber vs. Robert W. Allen; Admr. of William Faber vs. B.M. Wailes, etc.; Catharine Snider, etc. vs. Admr. of William Faber, etc.**

### **Scope and Content**

The Faber lead mine located in Albemarle County was part of the dispute.

## **1902-030: Admr of Lemuel Turner v. Samuel Woods**

### **Scope and Content**

The deposition of James M. Harris questioned whether John W. and James T. Woods, the alleged children of Samuel Woods, were free or enslaved. Their mother was enslaved by James Woods, the brother of Samuel Woods. SEE ALSO: 1893-026, 1894-008, and 1899-006.

## **1902-036: Exx of Henry C. Boyd and Admn of Juliet A. Boyd v. J.J. Scott, etc. and H.C. Boyd, etc.**

### **Scope and Content**

The suit is concerned with Henry C. Boyd's estate in Arkansas. Included with the suit are four land grants signed by President Martin Van Buren in 1837.

## **1906-032: J.R. and Mary E. Peebles v. W.M. Tunstall**

### **Scope and Content**

The suit stated between fifteen and twenty years prior to 1903, a telephone line was constructed and established between Lovingsston and the railroad station, now called Oakridge. W.M. Tunstall, the son-in-law of J.R. and Mary Peebles, repaired the line. As relations between the two families became strained, Tunstall cut the wire which connected the telephone box in the Peebles house with the said telephone line.

## **1909-020: George Tull v. Alice Agnes Tull**

### **Scope and Content**

George Tull sued for divorce from Alice Agnes Tull, his wife; both of the Tull's were Canadian citizens. According to the facts of the cause, the Alice after 10 years married to George, deserted him and took up

with a former boarder in their residence. In 1908, George left Montreal and moved to Nelson County where he sued for divorce. Depositions were taken in Montreal and two rare photos are used as exhibits in the cause-one of Mr. and Mrs. Tull and one of Mrs. Tull with her lover, William Thompson. Both of the photographs are torn in half.

## **1910-039: B.T. Gordon, rcvr, M.K. Estes, Lucas P. Loving, Bettie K. Loving and Robinson Loving v. Robinson Loving, etc. and Pierce Loving**

### **Scope and Content**

The suits involved disputes over tracts of land which were largely timber land. Found within the suit, attached to a letter from W.E. Moore dated July 14, 1905, is a campaign button for Claude A. Swanson, the then governor of Virginia.