

A Guide to the Augusta County (Va.) Chancery Causes, 1746-1944 (bulk 1830-1912)

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History

Processed by: C. O'Brien, C. Freed, S. Bagley, C. Underwood, L. Jones, D. Dulaney, B. Helms, and M. Ball

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2013-11-21 Converted to schema conforming EAD by dtd2schema.vh.xsl.

Descriptive Summary

Language

English

Collector

Augusta County (Va.) Circuit Court.

Physical Characteristics

Digital images; 464.155 cubic feet (1,018 boxes)

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Chancery Causes 1746-1912 use digital images found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

The majority of Chancery Causes 1913-1944 are unprocessed. Contact Archives Research Services for availability.

Some chancery causes that ended between 1913-1928 are processed and indexed information is available on the Chancery Records Index, but digital images are not available at this time. Contact Archives Research Services for availability.

Several chancery causes that ended between 1918-1937 are processed, but indexed information and digital images are not available at this time. Contact Archives Research Services for availability.

Use Restrictions

There are no restrictions on use.

Acquisition Information

These records came to the Library of Virginia in a transfer of court papers from Augusta County (Va.) in 2007 under accession numbers 43054, 43167, and 43449; in 2008 under accession numbers 43608 and 43809; and in 2010 under accession number 45018. Additional records came to the library in 2013 under accession number 50886 and in 2018 under accession number 52248.

Items purchased from the American West Archives and Philenor Rare Books came to the library in 2003 under accession number 40899 and in 2006 under accession number 42948, respectively.

Processing Information

Chancery Causes 1746-1912 were processed by C. O'Brien, C. Freed, S. Bagley, C. Underwood, L. Jones, D. Dulaney, B. Helms, and M. Ball between 2007 and 2010. At this time, there are no plans to fully process, index, and digitize the post-1913 chancery causes.

Digital images of Chancery Causes 1746-1912 were generated by Backstage Library Works through the Library of Virginia's Circuit Court Records Preservation Program in 2011, with additional funds provided by the National Historic Publications and Records Commission (NHPRC).

Item previously cataloged as "Augusta County (Va.) Deposition from a Chancery Suit, William Scott, etc. vs. Robert Harnsbarger" under accession number 42948 has been interfiled in Chancery Cause 1839-023: William Scott, etc. vs. Robert Harnsbarger, etc., by C. Collins: 2024.

Item previously cataloged as "Augusta County (Va.) Chancery Answer, Fultz v. Strain" under accession number 40899 has been interfiled in Chancery Cause 1862-004: David Fultz vs. Boyd Porter, etc.

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Adjunct Descriptive Data

Related Material

Additional unindexed post-1913 records may be available at the Augusta County Circuit Court Clerk's office.

Additional Augusta 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: ["A Guide to the Augusta County \(Va.\) Business Records, 1789-1908."](#)

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: Augusta County was named for Augusta of Saxe-Gotha, who married Frederick Louis, Prince of Wales, and was the mother of King George III. It was formed from Orange County by a statute of 1738 that stipulated that when the population was large enough the new county government would begin to function. The county court first met on 9 December 1745. The county courthouse is in Staunton, and the county administrative offices are in Verona.

Court History: Augusta County was the site of a Superior Court of Chancery that held court in Staunton from 1802 to 1832. The Superior Courts of Chancery were created by an act of the General Assembly passed on 23 January 1802. In order to expedite the hearing of chancery suits, the High Court of Chancery was abolished, and the state was divided into three chancery districts with a Superior Court of Chancery for each district. For this reason, these courts were sometimes called "District Courts of Chancery." Suits heard in these courts were typically cases appealed from the local courts. A transcript of the suit from the local court was commonly filed with the appeal. Litigants could by-pass the local courts and file their suits in the chancery district court directly. Of the three original Superior Courts of Chancery - Staunton, Richmond (City), and Williamsburg - only the records of the Staunton district remain.

Court History: From 1802 to 1812, the Staunton district consisted of localities found in the western half of the Commonwealth including the ones in present day West Virginia: Augusta, Bath, Berkeley, Botetourt, Brooke, Frederick, Grayson, Greenbrier, Hampshire, Hardy, Harrison, Jefferson, Kanawha, Lee, Monongalia, Monroe, Montgomery, Ohio, Pendleton, Randolph, Rockbridge, Rockingham, Russell, Shenandoah, Tazewell, Washington, Wood, and Wythe counties. In 1812, the General Assembly created additional Superior Courts of Chancery which reduced the number of localities in the Staunton district to the following: Albemarle, Amherst, Augusta, Bath, Botetourt, Cabell, Greenbrier, Kanawha, Mason, Monroe, Nelson, Pendleton, Rockbridge, and Rockingham counties.

Scope and Content

Augusta County (Va.) Chancery Causes, 1746-1944, 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.

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. Under the system of chattel slavery, laws permitted enslavers to treat enslaved people as personal possessions in the same manner as livestock, farm equipment, or household items.

Several suits passingly reference contact between Indigenous communities and white settlers [1768-003, 1768-008, 1770-003, 1810-031, 1811-008, 1814-060, 1823-070]. Frequently characterized as violent, these interactions are indicative of the conflict that often accompanied westward expansion and migration. Additionally, a number of suits concern property disputes involving land grants and patents awarded for military service [1805-043, 1806-059, 1807-006, 1807-036, 1810-031, 1810-138, 1814-060, 1855-034].

Commonly found surnames among the plaintiffs and defendants include Adams, Alexander, Allen, Anderson, Armstrong, Bailey, Baylor, Beard, Bell, Berry, Beverley (also spelled Beverly), Borden, Bowyer, Brooks, Brown, Bumgardner, Byers, Campbell, Carson, Carter, Christian, Churchman, Clarke, Cochran, Coffman, Coiner, Craig, Crawford, Curry, Davis, Donaghe, Dunlap, Eidson, Engleman, Evans, Garber, Gibson, Graham, Greaver, Grove, Hall, Hamilton, Hanger, Harman, Harris, Harrison, Hays, Hite, Hogshead, Hull, Hunter, Imboden, Jackson, Johnson, Johnston, Jones, Kennedy, Kerr, King, Kinney, Koiner, Landes, Lewis, Long, Martin, Mathews (also spelled Matthews), McChesney, McClure, McComb, McCormick, McCue, Miller, Mitchell, Moore, Morris, Myers, Nelson, Palmer, Patterson, Paul, Peck, Poage, Preston, Rankin, Reed, Robertson, Ross, Scott, Sheets, Smith, Snyder, Steele, Stout, Stuart, Taylor, Thompson, Walker, Watson, White, Williams, Wilson, Wood, Woods, Wright, and Young.

The National Valley Bank of Staunton is involved in 24 suits between 1873 and 1906; the Waynesboro Company is involved in 17 suits between 1892 and 1896; the West Waynesboro Land Company is involved in 17 suits between 1893 and 1897; and the Staunton Land Company is involved in 22 suits between 1894 and 1912.

These records contain 3 boxes of "Orphan Chancery," including a box of chancery slips that indicated a case was removed from the clerk's office, which are processed but not indexed. These records contain parts, often single items, of chancery causes that 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.)

The majority of Chancery Causes 1913-1944 are unprocessed. Contact Archives Research Services for availability.

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.

1768-003: William Foster vs. Exrs. of James Patton:

Scope and Content

In answer to William Foster's bill of complaint, John Buchanan, an executor of James Patton, stated that Patton was killed by American Indians sometime in the year 1755 "while on the Frontiers in service of the Country." Patton intended to take out one or more patents [which conveyed land owned by the federal or state government to individuals] for land on the New River. However, he was prevented by a dispute between the House of Burgesses and Robert Dinwiddie, the Virginia lieutenant governor, related to the institution of a fee of one pistole [a Spanish coin] for signing the patents, which Patton and others refused to pay. Foster claimed that Patton sold him a portion of the land before his death in 1755.

1786-002: James Hayes vs. George Berry:

Scope and Content

The suit concerns Rachel, a woman enslaved by George Berry, who ran away following her purchase by James Hayes. Berry then granted Hayes possession of China, also enslaved by Berry, in Rachel's place.

1794-011: John Fudge vs. Benajah Thompson:

Scope and Content

In 1781, John Fudge acquired Libby and Will from by Benajah Thompson; subsequently, a disagreement arose over the amount Fudge owed Thompson as part of their agreement. In the bill, Fudge stated that Libby and Will were not actually "slaves, but only Bound to Service a limited time." According to a document included in the suit, church wardens of Littleton Parish (Cumberland County, Va.) bound two "mulattoe children of Sarah Otway" named Kitty and Billy to Benajah Thompson in August 1775. Benjamin Wilson, a justice of the peace, certified that Kitty and Billy were free persons and that they were carried out of Cumberland County by a Bartlet Thompson. [Given Fudge's efforts to prove Libby and Will's status as free persons, it can be presumed that he hoped to prove that the initial transaction was fraudulent and therefore nonbinding.]

1796-008: James Kelzo, etc. vs. Samuel McChesney:

Scope and Content

James Kelzo, James Wilson, and Samuel Chesney entered into a partnership to purchase and subsequently sell indentured servants and redemptioners. The bill lists the names of several servants: Darby Hart, Martin Supple, John Haley, Pierce Jenkins, Bridget O'Daniel and Elizabeth Insol. The answer names two additional servants, Hines and Kelly, as well as several individuals who acquired servants from Kelzo, Wilson, and McChesney. Accounts included in the suit provide details regarding the purchase and sale of over 50 individuals. For more information, see the ["Buying and Selling Servants"](#) post on the UnCommonwealth Blog, which was written about this suit.

1803-089: James McMeechen vs Exr. of James Rumsey:

Scope and Content

James Rumsey, according to the bill, was an inventor and "versed in the Doctrines of Hydrostatics, central

forces, and the Law of gravitation." A group of men formed a Rumseyan Society in 1784 to help pay for Rumsey's experiments. Rumsey worked on several inventions, one of which enabled boats to "sail against rapid streams." Rumsey eventually moved to London in 1789 or 1790, and the suit includes letters written by Rumsey from London in 1789, 1791 and 1792, as well as one letter, dated 1788, written from Philadelphia just before he left for London. The letters discuss ship building, the building of a canal in Ireland, and the situation in France [the French Revolution and associated unrest], among other topics.

1804-068: Edward Kennedy vs. Joas Miller, etc.:

Scope and Content

Joas Miller and Rebecca Miller, his daughter, accused Edward Kennedy of impregnating Rebecca and obtained two judgments against him. Edward sought the help of the High Court of Chancery to get an injunction against the judgments. Edward and the witnesses deposed on his behalf claimed the neighborhood men took great liberties with Rebecca and her sisters, while a witness for the Millers stated that he "never saw any imprudent or improper conduct in any of the daughters of [Joas] Miller."

1805-005: William Bryan vs. Lewis Bible, etc.:

Scope and Content

Morgan Bryan, brother of William Bryan, was described being "a man of unsound mind." There are numerous depositions included in this suit that describe his behavior, revealing the thoughts and attitudes of Bryan's contemporaries regarding those with a mental health history.

1805-090: Trst(s) of Washington Academy vs. Robert Gold:

Scope and Content

In 1803, Washington Academy, an early iteration of Washington and Lee University, was "consumed by fire." Based on entreaties from the inhabitants of Lexington, the trustees agreed to rebuild Washington Academy on a site "more convenient to Lexington." However, a disagreement arose because Robert Gold refused to allow them "the right of conducting water thro' his lot," a proposition to which, according to the trustees, Gold had previously agreed. The suit includes a copy of the Washington Academy Board of Trustees' minutes from a meeting in March 1803, during which arrangements were made for the erection of new buildings, as well as a copy of the October 1803 minutes that outline the dispute surrounding Washington Academy's access to water.

1807-051: Thomas Mitchell, etc. vs. James Barnett:

Scope and Content

Thomas Mitchell and others sued James Barnett over possession of Rachel, an enslaved woman, and her seven children: Nelson, Lucy, Gabriel, Cyrus, Bill, Barry, and Alexander.

1807-067: Col. William Robinson vs. Col. Arthur Campbell:

Scope and Content

The suit involves a dispute surrounding land situated on the border between Virginia and North Carolina. At the time of the controversy, there was "no established line separating the two states." Part of the land dispute concerns a disagreement about the location of the border. There are several references to surveys of the Virginia-North Carolina border completed by Joshua Fry and Peter Jefferson and the commissioners appointed by officials in Virginia and North Carolina to formalize the boundary.

1807-151: Samuel Greenlee vs. Elizabeth Moore, etc.

Elizabeth Moore vs. Samuel Greenlee:

Scope and Content

The suit involves a dispute related to a farm in Rockbridge County known as Sidney Cove (also spelled Sydney Cove). The property was leased to Elizabeth Moore by Henry "Light Horse Harry" Lee, the father of Robert E. Lee, and Thomas Lang, who, according to Moore, sought to purchase it from Lee.

1808-124: John Carter Littlepage vs. Admr. of John Oliver, etc.:

Scope and Content

The suit concerns a contract dispute over a business partnership related to a public house at the Hot Springs in Bath County, Virginia. John Carter Littlepage and John Oliver purchased seven or eight enslaved individuals as part of their partnership. Included in the suit are detailed accounts of an eighteenth-century business.

1809-088: Richard Price, etc. vs. Peter Randolph:

Scope and Content

Peter Randolph (also called Peter Barnet), enslaved by Thomas Kendrick, instituted a freedom suit in Washington County in 1806. According to documents included in the suit, Sally Randolph, the daughter of Lewis Randolph, bore a "mulatto" child named Duncan Randolph around 1777 in Culpeper County. Richard Price claimed that Peter Randolph, after learning of this story, claimed to be Duncan Randolph. Randolph was eventually granted his freedom by the court. However, Price argued that Randolph was not Duncan and that he had been erroneously emancipated. Price and Kendrick sought to refute Randolph's claim and appeal the court's decision.

John Hook vs. Nanny (enslaved) (alias: Nanny Pegée~), etc.:

Scope and Content

Nanny Pegée (also spelled Nanny Pegée) instituted a freedom suit on behalf of herself and her children in the Montgomery County Court in 1803. She claimed that she was the child of a white woman and had been bound as an indentured servant, but was now entitled to her freedom. The suit was removed to the District Court of Franklin County in 1807, where the court ruled in her favor. John Hook, her enslaver, appealed the decision of the court to the Superior Court of Chancery in Staunton. He also sought the aid of the Supreme Court of Appeals of Virginia, who ultimately sided with the Franklin County District Court. Despite Hook's attempts to prevent their emancipation, Nanny and her children eventually attained their freedom. See also [Nanny Pegée, etc. vs. John Hook, etc.](#), heard in Franklin County, as well as Montgomery County [Chancery Cause 1807-014: Nanny Pegée \(enslaved\), etc. vs. John Hook, etc.](#), and Augusta County Chancery Cause 1809-108: Zachariah Stanley vs. Thomas Goodson, etc.

1811-008: Exr. of Elizabeth Jolliffe vs. Mary Hite, etc.; Isaac Strickler vs. Exr. of Elizabeth Jolliffe, etc., Robert Lewright v. Rep(s) of John Hite, Jr., etc., Robert Lewright vs. Alexander Pitt Buchanan, etc.:

Scope and Content

The suit includes the will of John Hite of Berkeley County, Virginia, [now Berkeley County, West Virginia] which bequeathed land in the Western District of Augusta County to Jacob Hite, his son. The will also mentions land Hite's father acquired in "the Indian Country within the state of South Carolina" through a deed executed by the "Cherokee Nation" to Richard Pearis.

1812-006: John Bollar, Sr. vs. William McClintie (alias: McClintock):

Scope and Content

An inquest was held in Bath County regarding the death of Winney (or Winny), a woman enslaved by John Bollar, Sr., to determine whether Bollar was responsible for her death. Bollar charged that William McClintie (also spelled McClintock, McClintick, and McClintic), who testified at the inquest, reported Bollar's alleged mistreatment of Winney to the authorities, which prompted the inquest. Bollar subsequently spread what McClintie claimed to be false tales of McClintie's villainy. McClintie then sued Bollar in an attempt to protect his reputation and to refute Bollar's claims, and the court found in McClintie's favor. Bollar then instituted this suit, accusing McClintie of influencing the jury in the latter proceedings. Several depositions included in the suit describe the inquest.

1812-017: Jane Beverley vs. John H. Hyde, etc.:

Scope and Content

The suit concerns a 5,000-acre estate in Botetourt County, Virginia, containing "valuable ore banks" and iron works.

1812-042: William McMechen and James P. Heath vs. John H. Hyde, etc.:

Scope and Content

The suit involves a dispute over 31 individuals enslaved by Carter Beverley in Rockbridge County, Virginia, namely Archer, Jerry, Phidas (also spelled Fidas), Lucy, Maria, Edy (also spelled Edey), Jim, Obediah, Tilla, Aaron, Alice, Johnson, Matilda, Katy (also spelled Katey), Dorcas (also spelled Dorkey), Flanders, Billy Young, Sam, Mima (also spelled Mimah), Sally, Amy (also referred to as Anna), Hannah (also spelled Hanna), Lewis, Louisa, Clara, Harry, Tom, James, Ben, John, and Tom. Included in the suit are a bill of sale and a valuation, which contains additional information about the enslaved individuals, such as familial relationships, ages, occupations, and the appraised monetary value of each.

1812-059: Andrew Anderson vs. John Fulk:

Scope and Content

Andrew Anderson, identified as "a free man of colour", instituted a suit in order to prevent John Fulk, the defendant, from taking his land. Anderson claimed that Fulk offered to help him satisfy several outstanding debts in exchange for a deed of trust securing Anderson's land as collateral for the loaned money. According to Anderson, he was willing to pay Fulk back, but Fulk attempted to claim the land for himself under the deed of trust instead of allowing Anderson to repay him.

1813-069: Heirs of William Boon, Sr. vs. Joseph Gatewood, etc.:

Scope and Content

The suit includes a copy of a 1754 proclamation by Virginia Governor Robert Dinwiddie that encouraged men to enlist in the defense of the colony and aid in the construction of a fort "on the river Ohio at the fork of Monongahela to oppose any further encroachments or hostile attempts of the French and the Indians."

1813-085: James Logan vs. Molly~ (enslaved), etc.:

Scope and Content

The bill and an affidavit describe the birth of Molly, a "bastard mulatto child," around 1762 or 1763 in Albemarle County, Virginia, to Rose Fitzgerald, a "convict servant woman" bound in service to Joseph Kincaid until the age of 31. Molly was similarly bound to serve Kincaid, who later "sold the time of his said servant Molly" to a Robert Logan. Following Robert Logan's death, Molly's time was inherited by James Logan, the plaintiff. During her service to the Logans, Molly had several children. James Logan granted Molly her freedom when she turned 31, but he retained control of Marcus, Andrew, and Joe, her children, and bound out Marcus and Andrew to inhabitants of Washington County. Molly sued Logan for trespass, assault, battery, and false imprisonment on behalf of herself and her children in Washington County, alleging that she was never legally bound Kincaid. Logan instituted this suit in chancery to stay the proceedings at law and avoid paying damages to Molly.

1814-072: William Coleman vs. David Richardson, etc.:

Scope and Content

The suit includes land warrants and land grants given to soldiers who fought under George Washington during "Braddock's War" [may refer to Braddock's expedition, which occurred 1755, or to the French and Indian War as a whole, which lasted from 1754 to 1763]. It also includes several documents related to the adjustment of claims to unpatented lands in the counties of Monongalia, Yohogania, and Ohio. [Monongalia County, Yohogania County, and Ohio County were formed in 1776 and encompassed land disputed by Virginia and Pennsylvania. Monongalia and Ohio counties now form part of West Virginia, while Yohogania County no longer exists.]

1814-097: William Stoneham vs. Admr. of George Stoneham, etc.:

Scope and Content

In the bill of complaint, William Stoneham stated that George Stoneham emancipated several of "his children of colour, of which [William Stoneham] was one," as well as the mother of said children, by a deed dated 1806. The deed names the following individuals: Lett (also spelled Let), Will, Letitia, Ben, Catharine, Mary Ann (also spelled Mary An), James, Susanna, Tabitha, Sampson, Rachel, John, Robinson, and Letitia [a different individual from the aforementioned Letitia]. By the provisions of the deed, the named individuals were to be freed after specified periods of time, allowing George Stoneham to satisfy any claims that might

be made against them and to give them time to learn a trade, which would enable them to better “make their way through the world.” George Stoneham died in 1807 and Henry Stoneham, a son of George Stoneham, sought to sell William Stoneham to satisfy a claim against his father’s estate. See also Augusta County Chancery Cause 1816-074: Admr. of George Stoneham vs. Henry Stoneham.

1815-030: Hagar (enslaved) vs. Robert Crockett, etc.

Frederick Idle vs. Philip Gaines, etc.:

Scope and Content

Frederick Idle sued Philip Gaines to recover possession of Hagar, an enslaved woman, claiming that Gaines “purchased unfounded claims to the said Hagar” and subsequently detained her. Idle also accused Gaines of encouraging Hagar to institute a freedom suit on the law side of the court in Grayson County to further confuse the proceedings and prevent Idle’s action of detinue [an action to recover wrongfully taken property] against Gaines from moving forward. Hagar asserted in her freedom suit that she, in violation of a law passed in 1785 to prevent the importation of enslaved persons, was illegally transported across state lines into Virginia, while Idle claimed that he “took the oath required by law required of those bringing slaves into this Commonwealth” after transporting Hagar and other enslaved persons to Virginia from Maryland in 1787 or 1788. Included among the exhibits in the suit is a copy record of the Hagar’s freedom suit, which charged Gaines and Idle with trespass, assault, battery, and false imprisonment. Ultimately, it was decided that Hagar was to remain enslaved and Idle was given leave to reclaim Hagar and her children from Gaines.

1818-043: Robert Lewis vs. Nelson Barksdale and James Minor:

Scope and Content

Robert Lewis purchased Will, an enslaved man, from Nelson Barksdale, who was acting as an agent for James Minor. Lewis stated that Will was represented by Barksdale as having a “good character,” but was later described by several individuals as “a notorious runaway” and “a rouge.” Lewis sought to avoid paying a judgment issued against him for the purchase price of Will, claiming that he was purposefully deceived as to Will’s character.

1818-061: Solomon Ritchey (free man of colour) vs. Frederick Painter:

Scope and Content

Solomon Ritchey, a “free man of colour,” advanced money to Frederick Painter, who had agreed to purchase a tract of land from Walter Frazer. As security for the loan, Painter offered Ritchey the use of 45 acres of the 160-acre property for a period of several years. Painter, before the allotted time expired, expressed his desire to sell the land and leave the area. Therefore, Ritchey sought the court’s aid in protecting his lien on Painter’s land. He also claimed that Painter was further indebted to him for work he had undertaken at Painter’s behest. In the bill of complaint, Ritchey stated that he was formerly enslaved by Andrew Edwards of Berkeley County [which became part of West Virginia in 1863], and prior to his emancipation by Edwards, “he was in the employ and hired out to said Frederick [Painter].”

1818-099: Gdn. of John Edmondson vs. Exr. of John Edmondson:

Scope and Content

The suit contains several documents detailing the hiring out of individuals enslaved by the estate of John Edmondson from around 1803 to 1811. The documents include the names of the enslaved, as well as information about familial relationships, to whom each person was hired, and the sums paid for the hires.

1820-054: Williamson Henry (enslaved) and Thomas Henry (enslaved) vs. Andrew Moore, etc.:

Scope and Content

Williamson Henry and Thomas Henry, “men of color,” were enslaved by Martin Tapscott of Westmoreland County, Virginia, who in his will provided that, upon his death and the death of Henry Tapscott, his son, “that all the negroes [Henry] dies possessed of given him by me shall be emancipated and set free.” He further stipulated that, if Henry died without heirs, “the young negroes that the law cannot emancipate owing to their minority shall be bound to some profitable trade.” Williamson and Thomas were hired out after Martin’s death and, following the death of Henry, Martin Shearman, the executor of Martin Tapscott,

attempted to sell Williamson and Thomas to Andrew Moore and Reuben Grigsby, respectively, as their sale “was necessary for the payment of Debts.” Williamson and Thomas argued that they had attained their majority and sought to assert their claim to freedom. It is stated in the final decree that either Williamson or Thomas had since died, but that the surviving Henry “is a free man and not a slave.”

1821-023: John Morris vs. William Cravens, etc.:

Scope and Content

John Morris claimed that Sampson Ragan (also spelled Ragin and Ragen), “a free man of colour,” was indebted to him. He asserted that William Cravens, a Methodist clergyman who knew about Ragan’s “embarrassed situation,” offered to transport Ragan and his family to a free state. Morris stated that Fanny, Ragan’s wife, and William George Wells, Joshua Wells, and Fanny Sampson, Ragan’s children, were enslaved by Ragan and could therefore be sold to satisfy Ragan’s creditors. According to Cravens, Ragan requested that Cravens purchase his wife and a male child from Smith Loffland. Cravens retained a lien on Ragan’s wife and children until Ragan worked off the purchase amount, and he later offered to transport Ragan and his family to a free state should he remove to one. When Morris approached Cravens about Ragan’s debt, Cravens asserted that Ragan’s family could not be sold to satisfy the debt because they were enslaved by Cravens, not Ragan. Cravens claimed that his intent in purchasing them was to secure their freedom, whether or not Ragan paid off his debt to Cravens. Ragan, in his answer to the bill, stated that “when he found he could not hold [his family] he was extremely anxious that Mr. Cravens should own them as your Respondent believed that if there was a man in the world who would do anything for them it was Mr. Cravens.”

1824-015: Isaac Freeman (enslaved) vs. Exrs. of James Boyd, etc.:

Scope and Content

Issac Freeman, son of Derry Freeman, a “free man of colour,” was formerly enslaved by John Mills, who gave Derry leave to purchase Freeman should he raise the sum of \$450. Mills planned to remove to “the Western country,” and Derry convinced John Beale to buy Freeman before Mills should leave the area. Derry subsequently sought to repay Beale and secure Freeman’s freedom, but died before he could. James Boyd became the executor of Derry’s estate, and Freeman claimed that the estate was comprised of enough capital to pay Beale’s heirs the requisite amount for his purchase, but that Boyd had “altogether failed to procure [Freeman’s] emancipation by paying said money,” despite the willingness of Beale, and later Beale’s heirs following his death, to receive it. Freeman sought to enjoin Boyd’s executors, as Boyd had also died, to pay Beale’s heirs the agreed price and allow Freeman his freedom. The court ruled in Freeman’s favor. Hannah, described as a “negro,” acted as Freeman’s agent during the taking of depositions and questioned several white deponents on Freeman’s behalf.

1831-019: William Weaver vs. Thomas Mayberry:

Scope and Content

The suit concerns the dissolution of a business partnership between William Weaver and Thomas Mayberry, who jointly owned iron works situated in Botetourt and Rockbridge counties. A central issue involves the distribution of enslaved persons, including Bill, Glover, Hamilton, John, Lee, Louisa, Mary, Phil, Sal, Sam, Tooler, and Wilson, some of whom were considered valuable iron workers. See also Augusta County Chancery Cause 1822-080: William Wilson vs. Thomas Mayberry, etc.

1834-041: Reps. of Joseph Borden vs. John Bowyer, etc., Levi Branson vs. Robert Harvey & wife, etc., Robert Harvey & wife vs. Levi Branson, etc., Benjamin Peck vs. Robert Harvey, etc., Heirs of John McDowell vs. Heirs of Benjamin Borden, Stephen Trigg vs. Robert Harvey, etc., John Paul, etc. vs. Benjamin Borden, etc., William McKenny vs. Stephen Trigg, etc., James Houston, etc. vs. Heirs of Benjamin Borden, John Calbreath, etc. vs. Levi Borden, etc.:

Scope and Content

These cases concern a land grant of almost 100,000 acres between Lexington, Virginia, and Staunton, Virginia, given to Benjamin Borden after the 1705 law which forbade the granting of land patents for more than 4,000 acres. Borden, a land speculator and promoter, was one of the few entities allowed to obtain such a large acreage. The land was purchased at some point in the 1730s. The suit includes over 50 plats.

1839-007: John N. Hunter vs. John Brooks:

Scope and Content

John N. Hunter purchased Matilda, a 22-year-old enslaved woman, and her child from John Brooks. After discovering that Matilda suffered from what he described as "fits," Hunter sued Brooks for fraud. He claimed that Brooks had portrayed Matilda as "sound and healthy."

1840-023: William Cochran vs. James Donathan:

Scope and Content

William Cochran, a "free man of colour," sued James Donathan to perfect the title to a tract of land that he purchased from Donathan.

1844-042: Daniel Webster vs. Exrs. of David Hanger, etc.:

Scope and Content

Daniel Webster, a "free man of color," sued William Mills and William Hanger, executors of David Hanger, to claim a \$300 bequest granted him by Hanger. David Hanger, Webster's former enslaver, allowed Webster to retain most of the money he earned through his labor, which he used to purchase Eliza, an enslaved girl. In 1834, Hanger sold Webster and Eliza to John Stockton, who promised to liberate Webster after several years of service if he transferred enslavement of Eliza to Stockton. Webster agreed to Stockton's terms, but Stockton died before emancipating Webster. After Stockton's heirs refused to free him, Webster initiated a freedom suit in Albemarle County. The suit was successful, and Webster was awarded his freedom in 1840. In their answer to Webster's bill of complaint, Mills and Hanger asserted that Webster attempted to poison Hanger in 1834 after learning of the bequest, which was the impetus for Hanger's sale of Webster and Eliza to Stockton. They stated that Hanger's will was written in 1831, prior to the alleged poisoning, and that it granted Webster his freedom and a \$300 legacy, but that Hanger sold Webster in 1834 to deprive "said complainant of his right to freedom under [Hanger's] will." They also claimed that Hanger intended to rescind the bequest. Webster's bill of complaint was ultimately dismissed.

1847-003: John Bridget (Free), etc. vs. Exrs. of Susan Wayt, etc.:

Scope and Content

In her will, Susan Wayt emancipated John Bridget, Jeff, and Martha Ann and bequeathed them \$800. She also provided several suggestions for places to which they might remove should they not be permitted to remain in Virginia, such as Ohio, Pennsylvania, or "the Colony of Liberia in Africa." Bridget, Jeff, and Martha Ann applied to James and Joseph Bell, Wayt's executors, and Briscoe G. Baldwin, who Wayt appointed trustee for the purpose of distributing the \$800, for the money, but never received it. It is implied by several documents included in the suit that Bridget, Jeff, and Martha Ann eventually reached an agreement with the Bells and Baldwin.

1849-023: Tapp Teter vs. Daniel Faber:

Scope and Content

Tapp (also spelled Tap) Teter, a "free man of color," and Daniel Faber entered into a partnership to operate a blacksmith business from 1843 to 1844. Teter believed he was being taken advantage of by Faber, as Faber refused to settle the accounts of their partnership. He accused Faber of having "received largely over his share of the proceeds."

1851-037: Thomas Johnston vs. Sam (Free):

Scope and Content

Sam, a "free man of colour," obtained a judgment against Thomas Johnston, his former enslaver, in a court of law following Johnston's refusal to pay for two colts he had acquired from Sam. Johnston then instituted a suit in chancery to prevent the execution of said judgment. He claimed that he supported Sam and provided him a cabin in which to live, thereby nullifying the debt accrued when Johnston purchased the colts.

1855-034: Heirs of William Broughton vs. James Holderby, etc., Charles Morgan, etc. vs. John Savage, William Coleman, etc. vs. Simon Morgan, etc., Heirs of John Williamson vs. David Spurlock, etc., William Coleman, etc. vs. David Spurlock, etc.:

Scope and Content

During the French and Indian War, George Washington led a regiment of Virginia soldiers in the Battle of the Great Meadows, also referred to as the Battle of Fort Necessity. In 1772, the soldiers were given a land grant that would become known as the Savage Grant. As commanding officer, Washington was charged with surveying the land and distributing the portions between the entitled claimants. A letter written by Washington, mentioned but not found in the suit, reportedly detailed Washington's involvement. Very few of the recipients actually inhabited the land; they either sold their assigned allotment or their land was taken away due to lack of improvements. The suits primarily concern land disputes involving the individuals granted land under the Savage Grant, or those who purchased land from the grantees, and their heirs.

1857-082: Recv(s) of Nicholas C. Kinney, etc. vs. Admr. of Jeremiah Aude, etc.:

Scope and Content

Jeremiah Aude, who had emigrated to the United States from England, was possessed of a substantial amount of real and personal estate in Augusta County at the time of his death. Aude died intestate and his heirs, who resided in Great Britain, laid claim to his property in the United States. They encountered various complications, including existing laws that prevented resident or non-resident aliens from inheriting property and requirements that they prove their kinship to Aude. Exhibits filed in the suit include numerous certificates of burials, marriages, and baptisms from several English localities going back to the 18th century. The suit also contains a genealogical chart illustrating the heir's familial relationship to Aude. For more information, see the ["Alien Lands: Land Ownership and Inheritance Laws for Immigrants in Virginia"](#) post on the UnCommonwealth Blog, which includes more details about this suit.

1860-016: James W. Bishop, etc. vs. Admr. of Elizabeth P. Via Exr. of Elizabeth P. Via vs. James W. Bishop, etc.

Scope and Content

Elizabeth P. Via's heirs sued to overturn her will, in which she emancipated the people she enslaved and bequeathed them \$4,000 to remove to a free state. The court, however, upheld the provisions of Via's will. The suit includes receipts and an extensive account documenting the 1861 trip William F. Smith, Via's executor, took, alongside the 18 individuals freed by Via, to Columbus, Ohio, and Smith's purchase of a farm and household goods for their benefit. Also included in the suit are the names, ages, and physical descriptions of each free person. For more information, see the ["Wills, Slavery, and Freedom in Augusta Co."](#) post on the UnCommonwealth Blog, which was written about this suit.

1860-041: Daniel McCune (alias Daniel Boyer), etc. vs. William Craig, etc.:

Scope and Content

In his will, Samuel McCune emancipated the people he enslaved and left them a bequest that was to be derived from the sale of his property. Regarding any formerly enslaved minors, he instructed that an agent be charged with accepting their portion of the proceeds and managing it until they reached their majority. The freed individuals migrated to Ohio following their manumission. Later, Daniel and Gilbert McCune, who were minors at the time of Samuel McCune's death, sued William Craig, the appointed agent, and accused him of mismanagement, as they never received their share of the money. A central issue in the suit involves court jurisdiction.

1863-027: Exr. of Chapman J. Stuart vs. Mary J. Stuart (alias Mary Jane Clarke:

Scope and Content

The suit concerns the disbursement of the estates of Chapman J. Stuart and Alexander Stuart, his father. Mary Jane Stuart, daughter and heir of Chapman J. Stuart, sought additional funds as she became of an age to go about in society. The suit includes documentation of the Mary Jane Stuart's expenses and purchases

from 1860 to 1862, as well as receipts signed by J. E. B. Stuart for funds that were allotted for his education at West Point. The bill mentions Eliza and Frances, who were enslaved by Chapman J. Stuart and bequeathed to Mary Stuart in Chapman's will.

1867-021: Pamela Jones vs. Admr. of Armestead Jones:

Scope and Content

Pamelia Jones, a "free woman of color," and sister of Armestead Jones, sued George Hanger, administrator of Armestead Jones, for control of his estate. She claimed that Patsy Jones, the widow of Armestead Jones, was "a person of unsound mind incapable of taking care of herself or her property." In her bill of complaint, Jones mentions Mary Jones, her mother, who was formerly enslaved by Jesse Lewis of Albemarle County. Lewis manumitted Mary Jones and the then two-month-old Pamelia Jones in 1801.

1867-054: Rebecca Ann Vickers vs. George Vickers:

Scope and Content

Rebecca Ann Vickers, a woman of color who was "freeborn," married George Washington prior to the Civil War. At the time, Washington was enslaved by Madison Campbell. During the war, he "left and went over to the then enemy," after which Rebecca Ann Vickers married George Vickers, believing Washington to be dead. Washington reappeared around 1867, and, having agreed with Vickers that she would return to her first husband should he ever come back, Rebecca Ann Vickers sought a divorce from George Vickers.

1868-010: George Coiner vs. Dinah Coiner

1868-015: Diana Kiner vs. George Kiner

Scope and Content

George Coiner (or George Kiner), a "man of colour," sought a divorce from Dinah (Bumgardner) Coiner (or Diana Kiner), claiming that he was forced to marry her. In his bill of complaint, George Coiner asserted that he was apprehended by two soldiers, one Black and one white, and taken to Staunton based on a complaint made by Dinah Bumgardner. There he was given two choices: marry Bumgardner or be transported to Richmond as a prisoner. Ultimately, he "was obliged to yield to the superior power of those who had possession of him, and a license was obtained, and he was compelled, at the point of the bayonet, to submit to the marriage, though it was in opposition to all his wishes." Conversely, Dinah Coiner stated that George Coiner promised to marry her and, after having "carnal knowledge" of her, refused to comply with his promise. She also sought a divorce, claiming he abandoned her almost immediately following their marriage. For more information, see the ["The Correct Answer is, 'I Do'"](#) post on the UnCommonwealth blog, which was written about these suits.

1869-005: Thomas Bell vs. Mary Bell:

Scope and Content

The suit includes discussion of the experience of marriage while enslaved. When asked in a deposition about the children born of his and Mary Bell's marriage, Thomas Bell mentions the deaths of two children and the sale of another prior to the Civil War. He also references David Blackwood, his former enslaver, and recounts that Mary Bell was enslaved by Nathaniel Torbett and sold to Hugh L. Gallaher in early 1865.

1870-002: Jonathan Landes vs. Robert A. Curry & wife:

Scope and Content

Jonathan Landes, who described himself as being "advanced in life" at the outbreak of the Civil War, was still considered to be of military age. Having been notified of his impending conscription into the Confederate Army, Landes hired sixteen-year-old George H. Curry to be his substitute. As part of their agreement, Landes promised to pay Curry or Martha Hannah Curry, his mother, \$650, which was to be paid in increments. Curry died during the war and his parents took up a suit on his behalf. They sued Landes successfully for the money owed to them according to the contract. Landes appealed the ruling in this suit, claiming that the contract was illegal because it served to further the rebellious cause of the Confederacy. The judge disagreed and ruled that the contract was a personal one and not subject to the outcome of the war.

1870-026: Mary Frances Kinney vs. William H. Tams, etc.:

Scope and Content

The suit concerns a marriage settlement involving Mary Frances (Beirne) Kinney, which prescribed that most of her property remain in her possession and free from the influence of John M. Kinney, her husband. However, William H. Tams, trustee under the marriage settlement, retained primary control of the property. Mary sued Tams for mismanagement, accusing him of investing a large amount of her money in Confederate bonds and stocks without her knowledge. The suit includes an interesting deposition in which Mary discusses the relationship of women and business in the mid-to-late 19th century.

1870-067: Jordan & Peyton vs. Mrs. Sally G. Dyer

Mrs. Sally G. Dyer vs. Jordan & Peyton:

Scope and Content

Sally G. Dyer hired out Jane, Fanny, and Ned, to William Jordan and William Peyton, who operated the Virginia Hotel in Staunton, Virginia, as Jordan & Peyton. Jordan and Peyton allowed C. R. Mason to hire Fanny from them, claiming that Dyer agreed to the new arrangement. According to Jordan and Peyton, Mason was given "occasion to correct [Fanny]...for some fault," after which she ran away and returned to Dyer, who in return refused to send Fanny back to Mason. In her answer, Dyer claimed no knowledge of, or consent for, Fanny's hire to Mason. She stated that Fanny had returned to her after being "cruelly beaten" and "lodged in jail." Jordan and Peyton instituted the suit to avoid paying a judgment issued against them by Dyer for the cost of the hires.

1877-029: John Pelter, etc. vs. Exr. of Sampson Pelter, etc.:

Scope and Content

PSampson Pelter's will stipulated that John, Junius, and Abraham Pelter, who were enslaved by Pelter, should, upon reaching the age of twenty-one, receive the profits arising from the sale of a specific tract of land and use it to remove to a free state. In 1876, John, Junius, and Abraham Pelter sued Joseph Pelter, Sampson Pelter's executor, for non-compliance with the terms of the will. The court ordered that the tract of land be sold for their benefit.

1877-071: Erasmus Stribling Crawford, etc. vs. Exx. of James Crawford, etc.

Margaret A. Crawford vs. Admr. of Nicholas K. Trout, etc.:

Scope and Content

The suits discuss Matilda, enslaved by James Crawford, who was hired out to the Western State Asylum. Included in the suits is a copy of the bill of sale, dated December 5, 1825, executed by Thomas Stribling to James Crawford for the transfer of Matilda to the latter.

1879-094: Heirs of Silas Henton vs. Heirs of Silas Henton, Admr. of Rachael Adeline Reamer, etc. vs. Admr. of William S. Henton, Admr. of Rachael Adeline Reamer, etc. vs. David B. Henton, etc., Lewis M. McClung & wife, etc. vs. David B. Henton, etc.:

Scope and Content

These suits include the testimonies of several individuals, such as Flora Tyler, who were formerly enslaved by the Henton and Reamer families, as well as a report related to the sale of persons enslaved by Silas Henton.

1880-119: Wesleyan Female Institute vs. John H. Plunkett, etc.:

Scope and Content

The Wesleyan Female Institute (Staunton, Va.) contracted with William Marr for the construction a new building. Various creditors of Marr's, including John H. Plunkett, sought to receive the money owed Marr by the Wesleyan Female Institute for the work he performed. The Wesleyan Female Institute sought the court's aid in distributing the funds. The suit includes two architectural drawings, which depict the building addition Marr was charged with erecting.

1884-084: John M. Brown & wife vs. Philip O. Palmer, etc.

Admr. of Philip O. Palmer, etc. vs. Foutz & wife:

Scope and Content

John M. Brown and Clara C. Brown (née Lamb) sued Philip Palmer, Clara's former guardian, for the mismanagement of funds belonging to the estate of William Lamb, Clara's father. Several depositions included in the suits discuss Clara's role in the family, as well as work performed by other women. Also included are eight fabric swatches, which were entered as exhibits alongside the deposition of Catherine Ott. Ott stated that the swatches were samples of several dresses owned by Clara.

1887-069: William Spears vs. Martha Spears:

Scope and Content

William Spears and Martha Spears were formerly enslaved by James Woods and William Woods, respectively. Their marriage, which occurred before the Civil War, was officially recognized by the state of Virginia following the Cohabitation Act of 1866. William Spears claimed that Martha Spears deserted him and their two children.

1889-026: Richard Watkins, etc. vs. Laflin & Rand Powder Co., etc.:

Scope and Content

John F. Young, Richard Watkins, T. C. Earman, John F. Kirby, and William Brown sought to prevent the Laflin & Rand Powder Company from building a powder magazine near their residences. [The Laflin & Rand Powder Company produced gunpowder and was acquired by the DuPont Company in 1902.] The plaintiffs claimed that "the lives of your orators and of their wives and children will be thereby exposed to great, imminent, & continuous peril" should the magazine be erected. Henry Hutchinson, one of the defendants, stated that three extant powder magazines were located in the same area. The suit includes a letter from the Repauno Chemical Company [a company formed jointly by the Laflin & Rand Powder Company and the DuPont Company], which manufactured Atlas Powder. The letter explains the relative safety of Atlas Powder as compared to black powder.

1903-091: J. H. Headen, etc. vs. County School Board of Augusta County:

Scope and Content

J. H. Headen and 35 additional plaintiffs brought suit against the County School Board of Augusta County to stop the board from closing a public school located in the town of Portland (Augusta County, Va.) and a public school outside the town of Craigsville (Augusta Co., Va.). A central argument against the closure and sale of the existing public schools involved the distance Portland students would have to travel to reach the proposed site for the new school. The plaintiffs claimed the only way to reach the site from Portland was "through a rugged mountain pass but a few feet wide," with "limestone bluffs rising up on both sides for several hundred feet," and along busy railroad tracks. If they refused to allow their children to attend the new school, the plaintiffs believed that they would "be cut off from public free school advantages altogether."