

A Guide to the Lee County (Va.) Chancery Causes, 1857-1965

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History

Processed by: Bari Helms

Title Statement

A Guide to the Lee County (Va.) Chancery Causes, 1857-1965

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Profile Description

Creation: Machine-readable finding aid derived from being created directly into EAD, created by Bari Helms, 31 October 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

Lee County (Va.) Circuit Court.

Physical Characteristics

Digital images; 72.75 cubic feet (160 boxes).

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

There are no restrictions.

Use Restrictions

Chancery Causes 1857-1912, use digital images found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Chancery Causes 1913-1965 are unprocessed. Contact Archives Research Services for availability.

Acquisition Information

These materials came to the Library of Virginia in a transfer of court papers from Lee County in 2009 under accession number 44298.

Processing Information

Lee County (Va.) Chancery Causes 1857-1912 were processed by Library of Virginia staff in 2011. At this time, there are currently no plans to process and index the 1913-1965 records.

Digital images were generated by Backstage Library Works in 2012 through the Library of Virginia's Circuit Court Records Preservation Program.

Post-1912 records were previously described separately under the title Lee County (Va.) Chancery Causes, 1913-1965. Records are now described together.

Encoded by B. Helms: 2012; updated by J. Taylor: July 2023.

Preferred Citation

Lee County (Va.) Chancery Causes, 1857-1965. (Cite style of suit and [chancery index no. if available]). Local Government Records Collection, Lee County Court Records. The Library of Virginia, Richmond, Virginia.

Adjunct Descriptive Data

Related Material

Additional Lee County Court Records can be found on microfilm at The Library of Virginia web site. Consult ["A Guide to Virginia County and City Records on Microfilm."](#)

Lee County is one of Virginia's Lost Records Localities. Additional Lee County Court Records may be found in the Virginia Lost Records Localities Collection at the Library of Virginia. Search the [Lost Records Localities Digital Collection](#) found at the Library of Virginia web site.

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: Lee County was named for Henry "Light Horse Harry" Lee, governor of Virginia from 1791 to 1794. It was formed from Russell County in 1792. Part of Scott County was added in 1823. Its area is 438 square miles, and the county seat is Jonesville.

Lost Locality Note: Created in 1792 to take effect on May 13, 1793. A significant number of loose records prior to 1860 are missing, including chancery and judgments. They were probably destroyed when Union forces burned the courthouse in October 1863 during the Civil War. Most volumes including deed books, will books, and order books exist because a local judge removed them from the courthouse for safekeeping before the fire occurred.

Scope and Content

Lee County (Va.) Chancery Causes 1857-1965, 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.

The Louisville and Nashville Railroad was one of the premier southeastern railroads, serving fourteen states. In 1886, the Louisville and Nashville Railroad Company extended the line into Lee County, Va due to the county's proximity to the Virginia coalfields. Due to the increased presence of the railroad, a number of cases post-1886 involve the Louisville and Nashville Railroad Company and its impact upon the population and property.

Chancery Causes post-1885 contain a significant number of suits brought by married women seeking their property rights. The cases were either brought by widowed women suing for their dower rights or women who brought property deeded to them by their fathers into the marriage, free from their husband's control. In these cases, the land was usually being used to settle the husband's debts and the women were suing to prevent the land from being sold.

Chancery Causes 1913-1965 are at this time unprocessed, so have no descriptive information.

These records contain two boxes of "Orphan Chancery" which are unprocessed. 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.)

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.

1882-052: John Slack vs. John W. Carnes etc.

Scope and Content

The defendants were part of the Casket Co. (formerly known as Banner and Index Co.) that published the *Emory and Henry Casket* a newspaper at Emory and Henry College. The newspaper's first volume is included as an exhibit.

1887-019: Mary V. Pennington by etc. vs. M. C. Parsons etc.

Scope and Content

Mary Pennington, wife of defendant William Pennington, sued to gain control over land gifted to her by her father that was subsequently sold to cover her husband's debts.

1891-012: Louisville and Nashville Railroad Co. vs. Nimrod Noe

Scope and Content

Louisville and Nashville Railroad Co. attempted to halt their payments to Nimrod Noe. Nimrod Noe received payments from the Louisville and Nashville Railroad Co. after a condemnation proceeding, where he claimed the railroad had damaged his property. Louisville and Nashville Railroad Co. attempted to halt their payments to Noe by claiming that Noe falsely represented the damages and losses done to his property by the railroad.

1894-082: Lilly C. Turner vs. Richard M. Turner

Scope and Content

A divorce suit which included a letter from Richard M. Turner to Lilly C. Turner, his wife, describing the other women he had affairs with.

1897-006: F. E. Parsons, widow vs. Ellen Jessee etc.

Scope and Content

F. E. Parsons, the widow of M. C. Parsons, sued her late husband's heirs for her dower rights to lands inherited by her husband. The heirs claimed that the land was conveyed to them before the marriage. In her bill, Parsons accused the heirs of attempting to intimidate her by circulating "false and scandalous charges" including accusing her of having an abortion before the marriage as well as having her and her father arrested for stealing from M. C. Parsons estate. The heirs claimed Parsons, who was approximately nineteen at the time of her marriage, only married their sixty year old father to gain ownership to his property.

1902-003: Petition of A. L. Loyd, admr.

Scope and Content

The petition sought a distribution of a settlement given to B. H. Loyd's family after his death in a railroad accident. Loyd was an engineer with the Louisville and Nashville Railroad Co., and a brief description of the accident is included in the suit.

1903-043: Mollie Monroe vs. Robert Monroe

Scope and Content

A Divorce suit brought by Mollie Monroe against Robert Monroe, her husband after he raped a twelve year old girl in front of Mollie, who was sick in bed with typhoid fever.

1904-048: W. E. Neff vs. Mary E. Neff

Scope and Content

A divorce suit which included a mutilated photograph of W.E. Neff sent to Mary E. Neff, his wife, by an unknown person.

1906-026: Ardill Fulkerson vs. Minnie Fulkerson

Scope and Content

Ardill Fulkerson sued for a divorce from Minnie Fulkerson, his wife and accused her of adultery. The two were African-Americans and a doctor's testimony stated that Minnie had given birth to a white child.

1907-045: Elizabeth R. Smith vs. J. K. P. Legg etc.

Scope and Content

Elizabeth Smith sued for control over a tract of land deeded to her by her father. Samuel L. Smith, her husband, had sold the land to J.K.P. Legg for a set of blacksmith tools. Elizabeth refused to agree to the contract but her husband "commenced to abuse her and threatened to beat her, and to kill her father B. W. Barker if she did not sign the deed." Her bill was dismissed by the court.