

A Guide to the Elizabeth City County (Va.) Judgments (Freedom Suits), 1827

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History

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Title Statement

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Profile Description

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Descriptive Summary

Barcode number

0007555610

Language

English

Collector

Elizabeth City County (Va.) Circuit Court

Physical Characteristics

.05 cu. ft.

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

There are no restrictions.

Use Restrictions

There are no restrictions.

Acquisition Information

These items came to the Library of Virginia in transfers of court papers from the circuit court of Hampton.

Preferred Citation

Elizabeth City County (Va.) Judgments (Freedom Suits), 1827. Local government records collection, Elizabeth City County Court Records. The Library of Virginia, Richmond, Virginia 23219.

Adjunct Descriptive Data

Related Material

Additional Elizabeth City County Court Records are found at the Library of Virginia.

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

Additional freedom suits may be found in the Elizabeth City County Chancery Causes. Search the [the Chancery Records Index](#) found on the Library of Virginia web site. Enter the tilde symbol in the plaintiff surname field.

See the [Lost Records Localities Digital Collection](#) available at Virginia Memory.

For more information and a listing of lost records localities see [Lost Records research note](#).

Historical Information

Slaves sued for emancipation in freedom suits based on the following: they were descendant(s) of a free female ancestor, typically a Native American (Henings Statutes, volume 2, p.170); failure of slaveowner(s) to abide by the 1778 slave nonimportation act (Henings Statutes, volume 9, pp. 471-472); or claimed to have been freed by slaveowner(s) by deed of emancipation or last will and testament (Henings Statutes volume 11, pp. 39-40)

Elizabeth City County was named for Elizabeth, daughter of King James I, and was one of the original shires, or counties, first enumerated in 1634. It became extinct on 1 July 1952 when it was incorporated into the city of Hampton, which was the county seat.

Records were burned or destroyed during the Revolutionary War and the War of 1812. Additional records were burned in Richmond on 3 April 1865, where they had been moved for safekeeping during the Civil War. A few pre-Civil War volumes such as deed books, will books, and order books exist.

Scope and Content

Elizabeth City County (Va.) Judgments (Freedom Suits), 1827, consist of suits initiated by slaves seeking to gain their freedom on the law side of the court. Cases are identified by style of suit consisting of plaintiff and defendant names. Surnames of others involved in a suit, including secondary plaintiffs and defendants, witnesses, deponents and affiants, and family members with surnames different from the plaintiff or defendant are indexed. Also identified are names of slaves and slaveowners found in suit as well as whether slave(s) won their freedom. Predominant documents found in freedom suits include petitions, records of suits, depositions, affidavits, wills, among other items. Information found in documents include slave's argument for freedom, acquisition of slaves by slaveowners, slave ancestry, and relationship between slaves and slaveowners.

The collection consists of a freedom suit titled Margaret, etc., versus William Wilson, etc., heard in 1827 July. The suit is actually an "issue out of chancery" that originated in the Superior Court of Chancery of Williamsburg. At issue was whether or not the owner of the plaintiffs, Willis Wilson, died with or without a will. The plaintiffs, who were not only the deceased's slaves but also his children, contend that he did and that in his will he had them emancipated. The defendants claimed he did not have a will and if he did the deceased was not in his right mind when he wrote it. The Williamsburg directed the the Superior Court of Law of Elizabeth City County to hear the "issue out of chancery" in order to determine if the will of Willis Wilson was valid and send back their decision to the Williamsburg court so that the chancery suit could proceed.

Judgments (Freedom Suits) are useful when researching local history and genealogical information,

particularly for African Americans. They are a valuable source of local, state, social, and legal history and serve as a primary source for understanding a locality's history.

Index Terms

Corporate Names:

Hampton (Va.) Circuit Court.

Subjects:

African Americans -- Virginia.

Free African Americans -- Virginia -- Elizabeth City County.

Slaveholders -- Virginia -- Elizabeth City County.

Slavery -- Virginia -- Elizabeth City County.

Geographical Names:

Elizabeth City County (Va.) -- History.

Elizabeth City County (Va.) -- Genealogy

Hampton (Va.) -- History.

Genre and Form Terms:

Civil actions -- Virginia -- Elizabeth City County.

Freedom suits -- Virginia -- Elizabeth City County.

Judicial records -- Virginia -- Elizabeth City County.

Local government records -- Virginia -- Elizabeth City County.

Petitions -- Virginia -- Elizabeth City County.

Arrangement

Arranged chronologically.