

A Guide to the Carroll County (Va.) Chancery Causes, 1842-1914 (bulk 1880-1912)

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History

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Title Statement

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Profile Description

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Descriptive Summary

Language

English

Collector

Carroll County (Va.) Circuit Court

Physical Characteristics

Digital images; 40.05 cubic feet (87 boxes)

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Chancery Causes 1842-1912 use digital images found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Chancery Cause 1914-001 is 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.

Use Restrictions

There are no restrictions on use.

Acquisition Information

The bulk of these records came to the Library of Virginia in a transfer of court papers from Carroll County (Va.) in 2017 under the accession number 52016. Additional materials were transferred to the library in 2018 under the accession number 52239.

Processing Information

Carroll County (Va.) Chancery Causes, 1842-1914, were initially processed by field processors. They were reprocessed at the Library of Virginia by E. Woodward and T. Harter and completed in 2018.

Digital images were generated by Backstage Library Works through the Library of Virginia's Circuit Court Records Preservation Program in 2018.

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Adjunct Descriptive Data

Related Material

Additional Carroll 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](#).

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: Carroll County was named for Charles Carroll of Carrollton, a signer of the Declaration of Independence from Maryland. It was formed from Grayson County in 1842, and part of Patrick County was added in 1856. The county seat is Hillsville.

Scope and Content

Carroll County (Va.) Chancery Causes, 1842-1914, 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.

Chancery causes that ended before 1865, as well as some that ended afterwards, may contain information related to enslaved Black and multiracial individuals. However, 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 involve various members of the Allen family, who were involved in a shooting that took in the courthouse during the trial of Floyd Allen [sometimes called the Hillsville Massacre or Hillsville Courthouse shootout] that occurred on March 14, 1912. Additionally, there are a number of divorce suits between 1866 and 1877 in which the plaintiffs, who fought in the Civil War, accused their wives of adultery while they were away.

These records contain 1 folder of "Orphan Chancery," which is 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 generally 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.

1868-005: John Early and wife vs. William C. Thornton and wife, etc.:

Scope and Content

Documents in this cause reference the destruction of court records by Federal soldiers under the command of Major General Stoneman in April 1865.

1878-032: American Colonization Society vs. Edward Marshall:

Scope and Content

The American Colonization Society (ACS) alleged that Edward Marshall, the sheriff of Carroll County, covertly withheld a tax bill with the intent of forcing delinquency and the sale of property ultimately purchased by him. The land in question had been owned by Edward Coles, a Virginian and former governor of Illinois, who had been on the ACS board of directors and was a longtime antislavery proponent. His will bequeathed a large tract of land in Carroll County, among other assets, to the ACS so the organization could sell it and use the proceeds to further its colonization efforts.

1882-009: F. L. Hale vs. Manoah Shockley, etc.:

Scope and Content

F. L. Hale wanted to recover a debt owed by Manoah Shockley, though according to Hale the proof of the debt was destroyed during the Civil War. In seeking payment of the debt, Hale hoped to recover his money through the sale of Shockley's interest in a Carroll County copper mine property.

1883-003: Joseph Norton vs. Sophina Norton:

Scope and Content

Joseph Norton sought to divorce Sophia Norton, his wife, due to her alleged infidelity. He also accused her of giving birth around three months after their marriage and "attempting to destroy" the child. According to a deposition given by Larkin Norton, Sophia claimed she had been raped. Sophia later fled Virginia.

1891-027: York Snow vs. Nannie Snow:

Scope and Content

York Snow sought a divorce from Nannie Snow, alleging that Nannie committed adultery with John Crockett, a Black man.

1893-027: Milton Stoneman vs. John W. Stoneman, etc.:

Scope and Content

Caroline Matilda Stoneman, the wife of Milton Stoneman, the complainant, died in the late 1880s, leaving the majority of her property to three of her children: J. W., Chockley (or Schockley) and Stephen. Her will also charged them with caring for their father. In the suit, Milton charges that they are not supporting him. [Interestingly, Milton had no property or means of support other than that bequeathed him by his wife.]

1903-019: A.W. Westmoreland vs. Laura A. Westmoreland:

Scope and Content

A. W. Westmoreland claimed that Laura Westmoreland, his wife, committed adultery with several men before moving to Utah, "where she still lives in adultery and for aught he knows she may there in the land of Joe Smith and Brigham Young be trying to substitute the practice of polyandry for the more ancient practice of polygamy."