

# A Guide to the Pittsylvania County (Va.) Chancery Causes, 1771-1890 (bulk 1848-1890)

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## History

**Processed by:** G. Crawford, L. Jones and C. Freed

## Title Statement

A Guide to the Pittsylvania County (Va.) Chancery Causes, 1771-1890 (bulk 1848-1890)

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## Profile Description

**Creation:** Machine-readable finding aid derived from MARC record, created by Greg Crawford, 28 February 2022

**Language Usage:** Description is in English

## Revision Description

**2022** Converted to schema conforming EAD by dtd2schema.vh.xsl.

## Descriptive Summary

### Language

English

### Collector

Pittsylvania County (Va.) Circuit Court

### Physical Characteristics

89.52 cubic feet (198 boxes); Digital images.

### Location

Library of Virginia

### Repository

The Library of Virginia

## Administrative Information

## Access Restrictions

Chancery Causes, 1771-1869 use digital images can be found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Chancery Causes, 1870-1890 are unprocessed. Contact Archives Reference Services for availability.

## Use Restrictions

There are no restrictions.

## Acquisition Information

These records came to the Library of Virginia in a transfer of court papers from Pittsylvania County (Va.) in 2017 under the accession number 52142.

## Processing Information

Processed by G. Crawford and L. Jones in 2017. Additional records were processed in 2018 by C. Freed.

Chancery Causes, 1771-1869 were processed in two separate groups. The first group was processed by G. Crawford and L. Jones in 2017. The second group was processed by C. Freed in 2018. Post 1869 records are currently unprocessed and unindexed.

Encoded by G. Crawford: 2022; Updated by E. Swain: June 2024.

## Preferred Citation

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# Adjunct Descriptive Data

## Related Material

Additional Pittsylvania 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.](#)"

See also: [Pittsylvania County \(Va.\) Circuit Superior Court of Law and Chancery Records, 1832-1850](#)

See also: [Virginia Superior Court of Chancery \(Richmond District\). Records, 1806-1850](#)

## Historical Information

**Context of 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:** Pittsylvania County was named in honor of William Pitt, first earl of Chatham, the English statesman. It was formed from Halifax County in 1766. The county court first met on 26 June 1767. The county seat is Chatham.

## Scope and Content

Pittsylvania (Va.) Chancery Causes, 1771-1890, 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.

## 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 is 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.*

### **1787-004: William Glass vs. Martin Armstrong, etc.:**

#### **Scope and Content**

Glass served in the North Carolina militia during the Revolutionary War. He wanted to be exempt from serving. He made an agreement with Armstrong who informed Glass he could find him a substitute. Armstrong also agreed to provide Glass with two horses in exchange for an enslaved man. Armstrong failed to provide a substitute to serve in the militia in Glass' place.

### **1790-009: Orlando Smith vs. John Sutherland, Sr.:**

#### **Scope and Content**

Smith made an agreement with Sutherland to furnish a substitute in the militia for Smith's son. Both parties accused the other of not fulfilling their end of the agreement.

### **1790-011: Nathan Thurman vs. Jeremiah Ward:**

#### **Scope and Content**

Thurman lost a slander suit heard in common law to Ward. Thurman accused Ward of collecting bounties on dog ears and not wolf's ears. Thurman wanted the chancery court to overturn the law court's verdict.

### **1794-003: John Davis vs. Griffin Haynes and wife:**

#### **Scope and Content**

Mary Haynes was an enslaved person who won her freedom from Davis in a lawsuit heard in Pittsylvania County court. She also won financial damages. According to Davis and witnesses, Haynes' attorney offered a deal to Davis: he would not have to pay damages or court costs in return for the freedom of Haynes' children and never trouble Haynes or her children regarding their freedom. Haynes did not acknowledge such an agreement. She claimed that once the court gave her freedom that her children were immediately freed as well. Haynes wanted Davis to pay the damages owed her.

### **1804-011: Daniel Fisher and wife vs. William Dunning, etc.:**

#### **Scope and Content**

Daniel Fisher's wife, Susanna, claimed to be the illegitimate daughter of William Dunning. She was sent to Loudoun County to live in order to avoid family embarrassment where she married Daniel Fisher. Dunning requested that they move to Pittsylvania County to take care of him in his old age. In return, he would leave them his estate when he died. Plaintiffs claimed Dunning renege on the agreement.

### **1807-005: James Mitchell vs. Vincent Walker:**

#### **Scope and Content**

Walker was a doctor who Mitchell asked to treat a group of individuals enslaved by Mitchell who were all believed to be poisoned. Cause includes depositions from individuals who hired Dr. Walker to treat enslaved people who also suffered from poisoning. The deponents shared ingredients from medicine Walker prescribed to cure the poisoned enslaved individuals.

### **1821-017: Mary Justice, etc. vs. Exrs of George Herndon, etc.:**

#### **Scope and Content**

Freedom Suit. The Herndons joined the Society of Friends and Mr. Herndon offered to free Mary Justice. After he died, Mary stayed with his widow, Sarah Herndon, who refused to free Mary.

## **1822-020: Mark Anthony vs. James Arthur:**

### **Scope and Content**

Mark Anthony, of Bedford County, sued James Arthur to prevent him from removing enslaved people from the jurisdiction of the Pittsylvania County Court. The enslaved people had been given permission by the Court to sue for their freedom.

## **1828-007: Tom Butcher vs. Rice, etc.:**

### **Scope and Content**

Tom Butcher was to be freed at 21 years of age by a manumission from Joshua Smith. After Mr. Smith died, his son-in-law, Josiah Askew, received Tom as part of his share in the division of Mr. Smith's estate. Tom was 14 years old when Josiah Askew transported him to North Carolina. Tom was sold a number of times and ended up enslaved by Mr. Rice of Chester District, S.C. Tom fled to Dinwiddie County, Va., to get his free papers. He was arrested in Pittsylvania County. Samuel M. Lovell wrote to Austin Billups of Dinwiddie County asking him to send money to Tom to pay the prison charges and obtain his freedom papers.

## **1830-015: Sarah Fowlkes vs. James Fowlkes, Jr. etc.:**

### **Scope and Content**

James Fowlkes hired an enslaved girl named Sarah from Martha Grigg and made her his mistress. Fowlkes' wife asked him to stop hiring the girl but he would not. Mrs. Fowlkes sued for divorce and asked for alimony.

## **1833-014: John Fowlkes vs. Martha Griggs:**

### **Scope and Content**

Sarah, an enslaved woman, was murdered as consequence of a contract dispute between the plaintiff and defendant. The cause includes multiple depositions that give information regarding Sarah's death, the search to find the killer, and Fowlkes' agreement with Griggs.

## **1833-024: Frances Linn, by etc. vs. Thomas Linn:**

### **Scope and Content**

The Linn family moved from Pittsylvania County to Grayson County Court House where Thomas opened a tailor's business. Thomas Linn had an affair with one of his employees. The couple ran away to Philadelphia, Hiwassee District, Tennessee. Frances sued her husband for divorce and custody of their three children.

## **1833-025: Susan E. Callaway vs. Henry Callaway:**

### **Scope and Content**

Henry Callaway had children by Ann, an enslaved. The cause includes affidavits identifying Henry Callaway as being with Ann in a building where enslaved people lived. The cause was moved to Powhatan County by order dated 28 May 1833. See Powhatan Chancery Cause 1834-001: Henry Callaway and wife, etc. VS admx. of Francis Lewis, etc.

## **1838-032: Samuel Stone VS Samuel Edmundson, Jr., etc. Samuel Edmundson, Jr.:**

### **Scope and Content**

Cause involves dispute over Moses, an enslaved man who "ranaway". The cause details circumstances surrounding Moses' efforts to self-emancipate.

## **1840-040: Morris Pollok vs. Reuben Hopkins:**

### **Scope and Content**

Pollok and his brother's Robert and Allen were merchants from Scotland. Naturalization records of the Pollock family are filed as exhibits.

## **1846-013: William B. Banks, etc. vs. William B. Arthur, etc.:**

### **Scope and Content**

Defendants in the cause are lawyers hired to defend William Bennet in a suit instituted and prosecuted by Milly Chavis, a free woman, for the purpose of establishing her right to freedom. The freedom suit had been instituted twenty years before the start of this cause. See Pittsylvania County Chancery Causes 1822-020, 1849-037, and 1851-011.

## **1848-033: Francis Williams vs. Julius Allen:**

### **Scope and Content**

Per agreement, Williams and Allen were attempting to establish a "slave trading" business. According to deposition, enslaved people were bought in Richmond and sold in Alabama. Zachariah L. Hooper was identified as a "slave trader" by Samuel Cobb. Cause also relates to the selling of enslaved people in Georgia and North Carolina. Samuel Cobb and Henry Badgett, both based in North Carolina, were named as "slave traders" as well.

## **1848-034: William Worsham vs. Samuel Stone:**

### **Scope and Content**

Parties in cause were "slave traders." They purchased enslaved people in Richmond and sold them in South Carolina.

## **1849-037: Admr. of James Arthur vs Milly Chavis:**

### **Scope and Content**

Milly Chavis was a free person suing to establish her freedom. Chavis was enslaved by James Arthur. See also Pittsylvania County Chancery Causes 1822-020, 1846-013 and 1851-011.

## **1851-011: John Arthur vs. Una or Unita Chavis:**

### **Scope and Content**

Freedom suit. Defendant is the daughter of Milly Chavis.

## **1851-031: Heir of Robert G. Tucker vs. Capt. Claiborne Tucker:**

### **Scope and Content**

Plaintiff cites that his brother, the defendant, has sold six enslaved people to George W. Hall who sold them in Georgia. According to depositions, the defendant emancipated Tom, an enslaved man, in his will. However, Tom was one of the six enslaved persons sold in Georgia.

## **1854-061: John A. Adams vs. Nathaniel N. Witcher:**

### **Scope and Content**

Parties in cause formed "a co-partnership, Witcher and Adams, for the purpose of carrying on the negro trade and buying negroes in Virginia and carrying them to the South for sale." In depositions, George W. Hall is also identified as a partner in the business. Sam, an enslaved man noted in a receipt, is identified as a blacksmith.

## **1855-038: George Hairston, etc. vs. Admx of Robert Hairston, etc. and 1855-039: Admr. of Robert Hairston v. Ruth S. Hairston:**

### **Scope and Content**

Numerous defendants are not residents of Virginia. Peter Hairston died in North Carolina. He is the father of Ruth S. Hairston. According to cause, Ruth S. Hairston is in possession of and holds 684 enslaved people as executrix of her father's will. The enslaved people reside in North Carolina and Patrick, Henry, and Pittsylvania counties in Virginia. Heirs of Robert Hairston, Ruth's husband, are claiming 550 of those enslaved people. Other heirs reside in Henry County, Virginia. In the second cause, Robert Hairston left estates in Virginia, North Carolina, and Mississippi. He migrated from Virginia in 1841 for Mississippi and died there in 1852. His wife Ruth essentially ran his estates in Virginia and North Carolina.

## **1855-041: Widow of Thomas Williams vs. Isaac Motley and wife, etc. and Adms. of Francis Williams, admr vs. Robert W. Williams, etc.:**

### **Scope and Content**

Thomas Williams and Robert W. Williams operated a slave trading business. Robert W. Williams resides in Henry County, Virginia.

## **1866-012: Peter R. Riggs vs. Coleman D. Bennett, etc.:**

### **Scope and Content**

Debt suit that involves the establishment of a female seminary in the town of Chatham. At one point it was named the Female Academy of Chatham.

## **1866-068: Edmund Fitzgerald and wife, etc. vs. Exr of John Wilson, etc.:**

### **Scope and Content**

In John Wilson's will, he stipuated that 50 years after his death, those he enslaved were to be freed. At the time of his death, he proposed measures to give his enslaved quasi freedoms. In an opinion filed in the cause, Richard Logan argued that "slaves born during the time of the testator making his will and the testator's death will be slaves for life."