

A Guide to the Albemarle County (Va.) Petitions to Remain in the Commonwealth, 1816-1819, 1852-1859

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A Collection in the Library of Virginia

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History

Processed by: LVA Staff

Title Statement

A Guide to the Albemarle County (Va.) Petitions to Remain in the Commonwealth, 1816-1819, 1852-1859

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Publication Statement

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Profile Description

Creation: Machine-readable finding aid derived from MS Word, created by Caroline Collins, 12 March 2025

Language Usage: Description is in English

Descriptive Summary

Language

English

Collector

Albemarle County (Va.) Circuit Court.

Physical Characteristics

16 items.

Location

Library of Virginia

Repository

Library of Virginia

Administrative Information

Access Restrictions

Albemarle County (Va.) Petitions to Remain in the Commonwealth, 1816-1819, 1852-1859, are digitized and available through [Virginia Untold: The African American Narrative Digital Collection](#) on the Library of Virginia website. Please use digital images.

Use Restrictions

There are no restrictions.

Acquisition Information

These records came to the Library of Virginia in a transfer of court papers from Albemarle County (Va.) as part of an undated accession.

Processing Information

Albemarle County Petitions to Remain in the Commonwealth were originally described as part of the Albemarle County (Va.) Free and Enslaved Records, 1799-1870, but were removed to the present Albemarle County (Va.) Petitions to Remain in the Commonwealth, 1816-1819, 1852-1859, record to enhance discoverability in March 2025.

These records were processed, scanned, and indexed by L. Neuroth and LVA staff for the purposes of digitizing them for the digital project Virginia Untold: The African American Narrative at an unknown date.

Encoded by C. Collins: March 2025.

Preferred Citation

Albemarle County (Va.) Petitions to Remain in the Commonwealth, 1816-1819, 1852-1859. Local records collection, Albemarle County Court Records. The Library of Virginia, Richmond, Virginia.

Adjunct Descriptive Data

Related Material

See also: [Albemarle County \(Va.\) Free and Enslaved Records, 1799-1870](#)

See also: [Albemarle County \(Va.\) Deeds of Emancipation, 1785, 1798-1799, 1818-1864](#)

Records related to free and enslaved people of Albemarle County (Va.) and other localities are available through the [Virginia Untold: The African American Narrative Digital Collection](#) on the Library of Virginia website.

Additional Albemarle County (Va.) 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.](#)"

Albemarle County is one of Virginia's Lost Records Localities. Additional Albemarle County records may be found in the [Lost Records Localities Digital Collection](#) available on the Library of Virginia website.

Historical Information

Context for Record Type: Sometimes referred to as "Applications to Remain," these records are applications that formerly enslaved individuals submitted to state and local courts for permission to remain in Virginia with their free status. The Virginia General Assembly passed a law stating that all formerly enslaved people freed after 1 May 1806 who remained in Virginia more than twelve months could be put on trial by the state. Individuals who wished to remain in the commonwealth were to petition the state legislature. In 1816, a new Act of Assembly gave the local courts power to grant permission to remain. The documents in these cases will include: the name(s) of the petitioner(s), the circumstances of free status, and a request to remain in the county. Individuals needed to prove that they had in fact been emancipated. Therefore, application packets might also include supporting documents such as the formerly enslaved person's register, a copy of a will or deed of emancipation, or witness statements known as affidavits.

Locality History: Albemarle County was named for William Anne Keppel, second earl of Albemarle, and governor of Virginia from 1737 to 1754. It was created by a statute of 1744 and formed from Goochland County; part of Louisa County was added in 1761 and islands in the Fluvanna (now the James) River in 1770. The court met for the first time on 8 February 1745. The county seat is the city of Charlottesville.

Lost Locality Note: All order books except the first and many loose papers between 1748 and 1781 were destroyed by British general Banastre Tarleton's raid on Charlottesville in 1781 during the Revolutionary War.

Scope and Content

Albemarle County (Va.) Petitions to Remain in the Commonwealth, 1816-1819, 1852-1859, consist of records related six petitions submitted on behalf of around 12 individuals. These petitions are applications that formerly enslaved individuals submitted to state and local courts for permission to remain in Virginia with their free status. The petitions often include the formerly enslaved individual's name, their method of

emancipation, name of their former enslaver, and whether the application/petition was successful or not. Petitions may also include affidavits signed mainly by white residents or witness statements again provided by white residents. Additional names of enslaved or free Black and Multiracial individuals can be found in these records.

These records are comprised of the petitions, or the records related to the petitions, of the following individuals:

Lodwick (Lodwich) Quarles, 1816, who was emancipated by the will of John Bourne. His petition to remain was granted.

Nancy Smith, 1819, who petitioned on behalf of herself and her five unnamed children. They were emancipated by Henry Pierce, to whom they were sold by John Randall. The court permitted them to remain.

Rachel, 1819, who was emancipated by J. Winston Garth and formerly enslaved by Thomas Wells. The petition includes numerous testimonials by [white] men, who described her as "honest" and "industrious." Her request was granted.

Albert Cross, 1859, whose petition was supported by individuals who described him as "a good blacksmith." They also mentioned that Cross had "married in this community." There is no indication as to whether or not the court granted his request.

Admiral Elias Elliot, 1852, who was born free and appears to have migrated to Albemarle County from the City of Richmond between 1850 and 1852. James C. Southall, who supported Elliot's application to remain, described Elliot as "a capital barber, and a capital banjo-player." He was allowed to remain in Albemarle County. [The documents comprising Elliot's petition to remain include his Richmond City free registration. The free registration is digitized alongside the petition in Virginia Untold.]

Peter Harris and Rose, 1852, who intended to submit a petition to remain on behalf of themselves and Rose's children. The petition is not included in these records. There is no indication as to whether the court gave them leave to remain.

Several individuals who submitted petitions to remain were emancipated by deed [see Albemarle County (Va.) Deeds of Emancipation, 1785, 1798-1799, 1818-1864].

Arrangement

This collection is arranged

- Series I: Petitions to Remain in the Commonwealth, 1816-1819, 1852-1859, arranged chronologically.

Contents List

Series I: Petitions to Remain in the Commonwealth, 1816-1819, 1852-1859

Extent

16 items

Physical Location Library of Virginia

Arrangement

Arranged chronologically

Barcode number 1144734: Free and Enslaved Records, 1807-1870