

A Guide to the Wythe County (Va.) Chancery Causes, 1797-1865

Wythe County (Va.) Chancery Causes, 1797-1865
1797-1865

A Collection in the Library of Virginia
Library of Virginia
2024

History

Processed by: Field Processors, V. Brooks, M. Long, and M. Mason

Title Statement

A Guide to the Wythe County (Va.) Chancery Causes, 1797-1865

Subtitle: Wythe County (Va.) Chancery Causes, 1797-1865

Author: Mary Ann Mason

Publication Statement

Date: © 2024 By The Library of Virginia. All Rights Reserved.

Publisher: Library of Virginia

Profile Description

Creation: Machine-readable finding aid derived from MS Word, created by Mary Ann Mason, 26 August 2024

Language Usage: Description is in English

Descriptive Summary

Language

English

Collector

Wythe County (Va.) Circuit Court.

Physical Characteristics

49 cubic feet (108 boxes) .

Location

Library of Virginia

Repository

Library of Virginia

Administrative Information

Access Restrictions

Chancery Causes, 1797-1865 are digitized, use digital images found on the [Chancery Records Index](#) available electronically at the website of the Library of Virginia.

Use Restrictions

There are no restrictions.

Acquisition Information

These materials came to the Library of Virginia in transfer of court papers from Wythe County in February 2022 under accession number 53538. A small amount of additional material came in August 2022 under accession number 53665

Processing Information

Digital images were generated by Backstage Library Works through the Library of Virginia's Circuit Court Records Preservation Program in 2024.

Field processors completed original indexing throughout the 1990s-2000s. During reprocessing by Local Records staff, indexing was completed to Library of Virginia Standards, this required the moving of chancery causes to different years; changing styles of suit for individual causes; and combining and/or separating causes when necessary. Local Records staff also located non-chancery cases during reprocessing (including judgements and commonwealth causes) which were removed from the chancery and filed separately by record type.

During reprocessing, Local Records staff removed paper folders that contained notations and cross-references to information contain in volumes stored Wythe County Circuit Court house. These notes were not destroyed but are not digitized.

Wythe Chancery causes, 1797-1830, were processed by M. Mason and V. Brooks. Causes, 1831-1865, were processed by M. Long from March 2022 to July 2023.

Wythe County (Va.) Chancery Causes 1797-1865 are the first half of the chancery records for the locality to be processed. There are plans for Local Records Staff to later process the 1866-1912 records.

Encoded by M. Mason: August, 2024.

Preferred Citation

Wythe County (Va.) Chancery Causes, 1797-1865. (Cite style of suit). Local government records collection, Wythe County Court Records. The Library of Virginia, Richmond, Virginia

Adjunct Descriptive Data

Related Material

Additional Wythe 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.

Types of Courts:

Wythe County was the site of a Superior Court of Chancery that held court in Wythe from 1812 to 1832. The Superior Courts of Chancery were created by an act of the General Assembly passed on 23 January 1802. In order to expedite the hearing of chancery suits, the High Court of Chancery was abolished and the state was divided into three chancery districts with a Superior Court of Chancery for each district. For this reason, these courts were sometimes called "District Courts of Chancery." Suits heard in these courts were typically cases appealed from the local courts. A transcript of the suit from the local court was commonly filed with the appeal. Litigants could by-pass the local courts and file their suits in the chancery district court directly.

From 1802 to 1812, Wythe fell into the Staunton district which consisted of localities found in the western half of the Commonwealth. In 1812, the General Assembly created additional Superior Courts of Chancery which included the Superior Court of Chancery in Wythe. The Wythe district include the counties of: Giles, Grayson, Lee, Montgomery, Russell, Scott, Tazewell, Washington, and Wythe.

Locality History: Wythe County was named for George Wythe, a signer of the Declaration of Independence and chancellor of Virginia in 1789 when Wythe County was formed from Montgomery County. Part of Grayson County was added in 1825.

Scope and Content

Wythe County (Va.) Chancery Causes, 1797-1865, 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.

For this set of causes, debt and contract suits are the most prevalent, and mostly concern disputes stemming from land transfers. Estate disputes are the next most documented cause of action. There are very few other causes of action represented.

Superior Chancery:

A majority of the 1812-1833 Chancery Causes are Superior Chancery cases. These causes while heard in Wythe County (Va.) additionally document the activities of individuals and businesses from Giles, Grayson, Lee, Montgomery, Russell, Scott, Tazewell, and Washington counties. Apart from Wythe County, Washington County is the locality most documented in these records.

Due to the prevalence of Superior Chancery, there are also variations in the causes themselves that may not fit the normal make-up of a chancery cause as there are causes throughout this 1812-1833 span that have matters heard in both Superior Court of Chancery and the Superior Court of Law. General this occurred when an issue in chancery was sent by the judge to law side of the court for verdict before a final decree was entered in Chancery.

General Trends:

There is a substantial amount of information concerning enslaved Black men, women, and children. While there are several suits concerning the freedom of enslaved individuals, 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. Specifically, there are many cases concerning estate disputes which over enslaved individuals.

Due to the geographic area represented in these records, many suits document the land struggles in western Virginia and general western migration after the Revolutionary War. Various cases (especially pre-1833) list the Loyal Company as plaintiff. These causes discuss land surveys (in Virginia, North Carolina, West Virginia, Tennessee, Kentucky, Ohio) conducted when Virginia was a colony, including conflicts with the Indigenous Americans already living on the land, the effects of the French and Indian War on property rights, conflicts with the Ohio Company, and ownership disputes post-American Revolution. In these cases, there is fairly standardized language to describe the history of the land surveys on the part of the Loyal Company.

Additionally on this theme of western migration, many suits include issues of defendants moving beyond the commonwealth to Tennessee, Kentucky, or Ohio, complicating matters for the plaintiffs. Many suits discuss key issues and historical trends surrounding lead and gypsum mining, including: the working and living conditions experienced by both enslaved workers hired out to the mines and workers directly employed by the mining companies, including workplace dangers and long-term health risks; business inheritance issues facing recent immigrants, especially women; and the environmental effects of lead pollution on air quality, water sources, and plants and animals in surrounding areas.

There are multiple pre-1830 suits concerning Almerine Marshall and his estate after dying in the 1811 Richmond Theater fire. Other individuals and family frequently presented are William and James King, King family, Trigg, family, and Heiskell family.

These records also contain a box 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 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.

1803-007: Andrew Thompson vs. Charles Buster

Scope and Content

Concerns fines collected by Thompson while sheriff of the county, specifically a militia fine against Charles Buster a Captain in the local militia.

1805-007: John Towney vs. David Doak, Etc.

Scope and Content

Towney claims he should not have to pay a judgment brought against him by the overseers of the poor on behalf of John King as King agreed to care for the "bastard child" of John Towney at no cost.

1806-006: John Claxton, Etc. vs Jesse Evans

Scope and Content

Cause indicates the sometime in the late 1700s a local group of indigenous people [specific tribe or nation is not indicated] captured Bridget Claxton (formerly Bridget Williams), Martin Williams, and their children, allegedly killing Martin and the children. Bridget, then remarried, but seeks the compensation from her late husband's estate.

1808-001: Robert Ingledove vs. Almerine Marshall

Scope and Content

Ingledove accuses Marshall of selling him an old and broken carriage and does not believe he should pay the balance of the cost of the carriage. Narrates his family's trip to Winchester, Va., and back, and the number of repairs necessary along the way.

1809-014: Barney Gullion vs. Hugh Fulton

Scope and Content

Heard in the superior court of chancery, John Gullion identified by Hugh Fulton as a Tory and supporter of King George III and attributes this and Gullion's belief in a British victory in the delays and issues in the land transfer [see August Co. 1811-103: Heirs of John Gullion vs Hugh Fulton]

1810-001: John Thompson Sayers vs. Admr. of James Buchanan

Scope and Content

Concerns debt on bond owed the estate of James Buchanan for services performed by James, enslaved by Buchanan, during Buchanan's time as a guest in the Sayer's family home. Material contains descriptions of Buchanan's treatment of James and the unusual agency afforded to him.

1812-002-SC: Peter Rife vs Samuel Davis

Scope and Content

Concerns apprenticeship contract of Samuel Davis to learn trade of House-joiner and mill-right [millwright] and dispute of compensation after breaking his apprenticeship and questionable arbitration.

1815-009-SC: Mathew Dickey vs. George Reaves

Scope and Content

In an attempt to satisfy a debt owed to George Reaves, Mathew Dickey claims he mortgaged Edom, Below, Edom, Sal, and Criss, an enslaved family, to Reaves, but that this transfer was not a purchase. Dickey asserts that Reaves was to only maintain Below, Edom, Sal, and Criss, until Dickey could repay the debt. The depositions discuss Below, Edom, Sal, and Criss heavily, as well as the character of a William Sexton.

1815-019-SC: Cesar (enslaved) vs. Stephen Sanders, etc

Scope and Content

In this Freedom suit, Cesar [or Caesar] is seeking to secure his freedom after the death of his enslaver, James Campbell Jr., and death of Campbell's wife Mary Campbell. The terms of Campbell's will stipulated that his executors free Cesar upon the death of Mary Campbell should Cesar "in their opinion he has behaved towards her dutifully and with fidelity." Cesar argues he continued to do everything in his power to help Mary Campbell and run the estate efficiently; however, the executors turned to past disagreements between Cesar and Mary Campbell and decades old allegations to keep Cesar enslaved. The depositions primarily discuss the community perception of Cesar, and also reveals the legal counsel James Campbell received in constructing the terms of Cesar's manumission which shows the malicious intentions behind the stipulations. [See also: [Legislative Petition of Caesar](#)]

1815-022-SC: Jacob Vanhooser vs. Jesse Evans

Scope and Content

Jacob Vanhooser claims legal ownership of Bob, an enslaved man, then in the hands of Jesse Evans. Vanhooser asserts that a group of "lawless bandits" took Bob during the Revolutionary War and therefore Jesse Evans cannot have a legal title. Evans argues that his understanding of events affirms that Bob came into the hands of the "board of officers" comprised of Colonel Lynch, Colonel Preston, and Colonel Wm. Campbell during the war as part of efforts to "distress rebels [loyalists]" in Southwest Virginia. Actions legitimized by the Virginia General Assembly in 1782, therefore providing Evans with a legal title to Bob. Appears the court ruled in favor of Vanhooser as there was no proof the board directed the sale of Bob.

1815-024-SC: Mary Hines vs Mathias Hines

Scope and Content

Mary Hines is seeking an addition of dower to lands sold by her son [step-son] so she may have somewhere to live in her old age. Controversy concerns whether Mary was the legal wife of Adam Hines.

1815-025-SC: David Pierce vs. Thomas Jackson

Scope and Content

Debt: Concerns the death of Jack, an enslaved man, jointly enslaved by David Pierce and Thomas Jackson. Pierce believes he should not be responsible for the existing debts related to Jack as he asserts the mistreatment of Jackson caused Jack's sickness resulting in his death. Describes Jack's attempts at self-emancipation, his imprisonment in Wythe County jail, and mistreatment of Jackson after securing Jack from jail.

1817-010-SC: Andrew Baker, etc vs Douglass Baker

Scope and Content

Debt: The will of Andrew Baker stipulates terms of emancipation for Big Tom, Moses, Jack, Sukey and Sam. Andrew Baker's also notes that he desires apprenticeships to be obtained for his "negro children."

1817-013: Trisham Henson vs. David Henson

Scope and Content

Debt: The case concerns money owed to Trisham by his brother David Henson. The brothers immigrated to the United States from Ireland along with Samuel Patterson, a neighbor. Samuel agreed to serve David Henson for three years in exchanged for passage. As David could not come up with the money, with Samuel's approval the contract of servitude transferred to Trisham. Trisham claims that after landing in Newcastle, Delaware, the brothers went their separate ways. However, David ended up selling Samuel's contract as well as linen sent along with the brothers and Trishman believes he is owed portions of the funds and he held the contract for Samuel and maintained joint ownership of the linen.

1818-002: Trst. for Wythe County vs John Johnston, Etc.

Scope and Content

Other: Case begins in the Superior Chancery held in Staunton, Va., but is transferred to Wythe district. Francis Smith, Trustee for Wythe County, argues that John Johnston fraudulently sold lots of land in the newly formed town of Evansham [present day Wytheville, Va.]. Case contains information concerning the early history of the town, an 1812 map of the town of Evansham, Va., and provides information on the "academy" [Wytheville Academy].

1818-006 : Exrs. of William Calfee, Etc. vs EXRS of George Carter, Etc.

Scope and Content

Estate Dispute: Largely concerns the estate of William Calfee and the distribution of his property as well as the people he enslaved. There is controversy in the family concerning the possible destruction of the original will. Some depositions of note include John Carnahan's concerning naturalization, as well as John Rice's which describes the whereabouts of Robert Patterson living within the bounds of the Cherokee Nation.

1818-035-SC : Mary Cleghorn vs Valentine Griever

Scope and Content

Contract Suit: Mary Cleghorn claims that Valentine Griever used liquor on numerous occasions to first persuade her husband, Robert Cleghorn, into selling to Griever a tract of land, and for then delaying repayment. Mary Cleghorn even believes the heavy state of intoxication in which Griever frequently enabled Robert Cleghorn to stay in for days contributed to his death. Griever rebukes all claims and instead calls Mary Cleghorn's character into question. The case is eventually dismissed.

1819-017: John Foster vs. William Crawford, Etc.

Scope and Content

Debt: John Foster is attempting to secure a maintenance judgment due to his late mother, Isabella Stuart, from Daniel Stuart's estate. Isabella brought a case against Daniel after separating on the grounds that Daniel formed an intimate relationship with Nelly Crawford during their marriage. After securing the judgment against Daniel, John Foster claims he refused to pay the judgment and removed from the state. Due to the increased care needed Isabella required because of her blindness, John Foster seeks to secure the money from Daniel Stuart's estate to recover costs her his mother's care [See also: 1800-016]

1819-021-SC: Adam Waterford (free) vs William Byers, Etc.

Scope and Content

Debt: Adam Waterford, a free Black man, asserts that while he was enslaved by James Thompson, he sold a quantity of live pork to William Byers and Anderson Matthews, two white men, operating as Byers and Matthews. Waterford claims he is still owed a balance from this transaction.

1819-031-SC: Tobias Smith, Etc. vs Benjamin Hill

Scope and Content

Debt: The cause concerns a judgment obtained against Tobias Smith and Ezekiel Kelley by Benjamin for "trespass, assault and battery, and false imprisonment" in Lee County court. Tobias and Ezekiel claim this judgment was unjust and request an injunction on the judgment as well as a new trial to be held in the "county of Scott, Russell, Washington, or Wythe." Both sides assert the other was the true agitator and fraudulent party in this act of assault.

1819-041-SC: Anthony Owens vs. Henley Chapman

Scope and Content

Other: Anthony Owens is seeking a new trial to be held in the Superior Court of Law in the county of Wythe. Owens claims that the commonwealth prosecution against him was flawed. The jury convicted Owens of suffering gambling, a game of "hustle cap", on his property while Owens argues he was not present and tried to break-up the game. Owens further claims that various errors in the proceedings resulted in the guilty verdict and the judgment for one hundred and twenty dollars. The judge rules that the Superior Court of Chancery for the Wythe District does not have jurisdiction in the matter and the case should be moved to the Superior Court of Chancery to be held in Richmond.

1820-003-SC: Samuel Jones vs Henry Kinder

Scope and Content

Debt: Samuel Jones argues that the judgement against him brought by Henry Kinder is not lawful and that Samuel was not able to defend himself in court. The dispute at the heart of the cause concerns an fight which took place between Samuel and Henry regarding a plank removed from Henry's property by a group

of men enslaved by Samuel, to be used by the local blacksmith to fix a wagon for Samuel. The fight was allegedly quite violent, resulting in Henry Kinder being injured. Henry then sought a judgement for damages as a result of these injuries. Much of cause tries to determine who is at fault for the fight. Samuel's bill is ultimately dismissed.

1820-009-SC: Daniel Horton vs John Griffitts

Scope and Content

Debt: Daniel Hortons states that he bought a "mulatto boy" [unnamed] from William Griffitts for \$600; however, not long after the young man was stolen. After this, Daniel learned and believed to be true, that the young enslaved man, was actually free and that William or his son John Griffitts stole the young man from his home in Grayson County, and then stole him from Daniel. After reaching an agreement for repayment, John Griffitts then took the young enslaved man an proceeded to try and take him south to sell into slavery. While Daniel managed to intervene and collect John Griffitts and the young man, sending John Griffitts to the penitentiary, Daniel is seeking to have remaining debts repaid, through the sale of John's lands. The suit was dismissed by Daniel for unknown reasons.

1822-019: Catherine Wolf vs John Wolf, Etc.

1822-31: Adam Wolfe ETC vs Henry Wolfe, Etc.

Scope and Content

These two suits deal with issues concerning proper conveyance and distribution of John Wolfe's estate. There are various issues concerning the validity of the transfers in property as the depositions show there were questions concerning John Wolfe's mental health attributed to his participation in the murder of a man in Berkley County West Virginia, resulting in his frequent intoxication, abusive behavior, and his death by suicide.

1822-024-SC: Andrew Datton (free) vs William Irvine

Scope and Content

Andrew Datton, a free Black man, complains that he purchased Dinah, an enslaved woman, from William Irvine who has not conveyed a title to him even after the agreed payments.

1822-033-SC: Alexander Smyth vs George Wampler

Scope and Content

Other: Alexander Smyth complains that George Wampler, in his capacity as tavern owner, is permitting waggoners to park their wagons in front of Smyth's residence obstructing both the street and barricading him from freely moving in and out of his residence. Smyth further complains of the noise, smells, and general annoyance cause by the presence of so many waggoners with their "well fed horses." The cases is dismissed on the grounds the Wampler will prevent future waggoners from parking their wagons with 60 feet from the front of Smyth's residence.

1822-034-SC: Michael Swindle vs Lewis Toncray

Scope and Content

Contract Suit: The suit largely concerns "Jerry" or Jeremiah, a Black man enslaved originally by Michael Swindle, a white man. Swindle complains he sold Jerry to Lewis Toncray, a white man, in exchange for Toncray paying the debts owned by Swindle and releasing him from jail, but with the understanding that Jerry would be returned after Swindle repaid Toncray. Depositions contain discussions of local hiring practices, apprenticeships, skilled enslaved men working as carpenters, and Jerry's skills and general work.

1823-031-SC: Joseph Trigg and wife, Etc. vs Nancy Findlay, Etc.

Scope and Content

Estate suit: While a typical matter of estate division, there is substantial discussion about the naturalization statuses of members of the King family as immigrants from Ireland.

1825-003-SC: Archibald Hazlerig vs John Jackson

Scope and Content

Debt: Concerns a matter of debt John Jackson owed to Archibald Hazlerig, which is complicated by Hazlerig originally ordering the payment be assigned to Nancy, an enslaved woman, but then claims to cancel the order so is still due the payment from John Jackson.

1825-013-SC: John Irons vs John Thompson, Etc.

Scope and Content

Contract Suit: John Irons, a white man, claims he is owed compensation from John and Richard Thompson after selling him Patsey, an enslaved Black woman, who shortly after the transaction died of consumption. The depositions discuss Patsey's life in great detail and John Iron's treatment of enslaved individuals. The case has issues heard in the court of Superior Law.

1828-010-SC: Jenny (enslaved) vs Charles Talbert, Etc.

Scope and Content

Freedom Suit: Jenny, an enslaved woman, claims that she was emancipated by Basil Talbert after she bore enough children for each of Talbert's child. After her emancipation, Jenny attests she had additional children, all living as free people, until one of Basil Talbert's children, Charles Talbert, re-enslaved Jenny and her children claiming his father had signed a deed of gift naming Charles as Jenny's enslaver. The judge decrees that Jenny is in fact a free person as well as her children, Lernzo, Sally, and Nancy.

1828-015-SC: James Albert vs Andrew McHenry, Etc.

Scope and Content

Debt Suit: concerns repairs and construction done to the Scott County jail

1828-019-SC: Alexander Smyth vs Daniel Sheffey, Etc.

Scope and Content

Contract suit: Alexnader Smyth claims there is issue in the deed of trust secured by himself and others including Daniel Sheffey, Peter Mayo, and Benjamin Estill as all these deeds are conflicting claims on property of Benjamin Cawood. Much of the Causes concerns the commonwealth case again Benjamin Cawood for the alleged murder of his wife, and the various payments and claims of attorneys involved in the case.

1829-020: Molly (enslaved) vs. Admr. Of George Hancock

Scope and Content

Freedom Suit: Molly claiming (on behalf of herself and her children) freedom because she, her mother, and brother had been freed by Alexander Baine in 1792.

1828-039-SC: Admr. of John Draper vs Exrs. of Mitchell Clay, Etc.

Scope and Content

Contract Suit: John Draper complains that he is owed the value of the Rachel Findley, an enslaved woman, and several of her children out of the property of Mitchell Clay, dec'd. John Draper asserts that he and Mitchell Clay engaged in a transaction where Draper gave Clay a tract of Land in Giles County in exchange for Rachel and Jude, her child, although Clay knew at the time that Rachel was entitled to her freedom as a result of a general court ruling decreeing Rachel the descendant of illegally enslaved "Indian woman". In 1820 Rachel successfully sued for her freedom and subsequently so did some of her children and other decedents while being enslaved by the Draper family.

1830-029- SC: Peter Holley vs Admr. Of Joseph Baker, Etc.

Scope and Content

Contract Suit: Concerns contested tract of land in Wythe County which involved Joseph Baker, deceased. While the cause does not directly relate to the issue, the subject of Joseph Baker being killed by Bob and Sam, two men he enslaved, is referenced throughout the case.

1831-013-SC: David Pierce vs Thomas Jackson

Scope and Content

Contract Suit: Includes an extended discussion of the lives of enslaved people who were involved in lead mining, most prominently those who were killed or disabled in a mine collapse.

1831-023-SC: David Henning vs Daniel Wohlford, Etc.

Scope and Content

Debt Suit: Discusses a postmaster for the US Post Office who had been accused of stealing bank notes from a letter and altering the serial numbers. The postmaster subsequently accused an enslaved man of being the actual perpetrator of the theft and forgery.

1833-008-SC: Jonathan Ozbourne, Etc. vs Admr. of Stephen Ozbourne, Etc.

Scope and Content

Estate Suit: James Fullen, a white man, was accused of taking advantage of Stephen Ozbourne's alcoholism and poor mental health to convince Ozbourne to change his will. These changes included freeing an enslaved woman, Barbara, and the two children that Fullen had fathered with her. Includes documentation of Barbara's eventual freedom suit as well as a description of her experiences as an enslaved woman who was married to a free Black man, Austin Day.

1833-012-SC: P. J. Branch and wife vs Francis Preston

Scope and Content

Contract Suit: Francis Preston used P. J. Branch's wife's immigration status as evidence to invalidate her contractual rights to property purchased by her late, first husband. Preston argued that she was not an actual citizen because she had been born in Ireland, and thus had no dower rights related to her late husband's estate. She argued that her father's successful naturalization also applied to her. Includes naturalization records.

1833-033-SC: Alexander Thompson vs William H. Dulaney

Scope and Content

Contract Suit: Concerns a dispute over the validity of an exchange of enslaved people that was made while one party was intoxicated. Includes detailed descriptions of the lives, health, and occupations of these enslaved people, including enslaved children.

1833-041-SC: George Creger vs Adam Miller

Scope and Content

Debt Suit: Concerns the proceedings of a judicial slander case. This suit and the original slander case and center around an ongoing dispute over whether Adam Miller's father had died from an overdose of laudanum, or if he had died because of a beating that George Creger had given him the day before his death.

1834-009: John Davis vs William Houndshell

Scope and Content

Contract Suit: Centers around an enslaved woman suffering from a disease called "the white swelling"- likely what is known today as tuberculosis of the bones and joints. The suit discusses both the progression of her disease and the failure of her enslavers to provide adequate treatment throughout her illness.

1838-016: Exr. of Jane Robinson, Etc. vs Mitchell Robinson, Etc.

Scope and Content

Estate Suit: A group of enslaved people were accused of using their enslaver's dementia as a way to convince her to create a will that granted them their freedom.

1838-032-SC: Adam Waterford (Free) vs James Orr, Etc.

Scope and Content

Contract Suit: Adam Waterford was a free Black man who purchased a tract of Kentucky property from his

former enslaver's family after he purchased his freedom. Waterford asserted that the land was smaller and less valuable than he had been promised, and that there were disputes within the family about the sale.

1840-015-SC: John Sanders and wife, Etc. vs John Jackson, Etc.

Scope and Content

Estate Suit: Dispute between family members over the property rights to a lead mine. Part of the family argued that the rest of the family didn't legally count as heirs, because they had immigrated from England and hadn't become naturalized citizens before the testator died. Includes naturalization records.

1845-024: James Hector vs Leonard Straw, Etc.

Scope and Content

Contract Suit: Concerns a dispute surrounding the property of Lewis Eisenmenger, a man who was involved in a land scheme to settle Saxon immigrants in western Virginia. Over one million acres of land in both Virginia and Kentucky were allegedly involved in this scheme over the course of Eisenmenger's lifetime, including over 22,000 acres in Tazewell and Russell Counties. The plaintiff James Hector claimed that he had agreed to help Eisenmenger survey the 22,000 acres in exchange for a portion of the proceeds from selling the property, only for Eisenmenger to sell the land for far lower than the market value.

1847-003-SC: David Pierce, Etc. vs James White, Etc.

Scope and Content

Business Suit: Regards the dissolution of a lead mining company, but much of the discussion centers on the experiences of workers employed by the business. This includes a discussion of the worker's efforts to negotiate for better wages, as well as descriptions of the food and clothing provided to them by the company. Additionally, one of the parties accused the other of paying the workers with devalued lead in place of the monetary wages that they had been promised. This suit also touches on the conditions experienced by enslaved workers hired out to the lead mine.

1847-016: Exr. Of Robert Porter Sr. vs Children of Andrew Porter, Etc.

Scope and Content

Estate Suit: Centers on an enslaved woman, Malvina, and her two young children, Mercury and Margaret, who were enslaved by the estate and heirs of Robert Porter. The two children lived with Malvina at the home of Robert's son Andrew until they were around eight years old, at which point Mercury and Margaret were considered old enough to be "hired out" and were separated from their mother. Because Malvina suffered from several health issues, Andrew's children argued that her labor had not been adequate compensation for the cost of raising her two young children. Depositions include discussions of the lives and care of Mercury and Margaret compared to the "usual" early lives of enslaved children.

1849-025: Robert Raper, Etc. vs Alexander Pierce

Scope and Content

Other: The plaintiffs accused Alexander Pierce of creating a safety hazard by conducting his lead mining business too close to a boarding house they had built for their workers. Pierce accused them of creating an unnecessary controversy to hurt his business, since he was one of their competitors. He claimed that there were no negative health risks associated with lead exposure, and that the point was irrelevant anyway because the boarding house was only a temporary structure that housed enslaved workers hired out to the plaintiffs. Testimony in this case included extensive debate over the existence of "lead colic," a chronic lead workers disease, and specifically whether enslaved former residents of the boarding house were suffering from it. Testimony also goes into detailed descriptions of the environmental effects of the lead mine, including poisonous water and smoke in the area and the frequent deaths of nearby plants and animals.

1854-027: William E. Sprinkle vs Stephen G. Wall etc.

Scope and Content

Contract Suit: Stephen Wall allegedly created a false deed of trust after he discovered that he had purchased an enslaved man who had been kidnapped and sold illegally. Wall was concerned that the possible legal action that this could cause would draw the attention of his creditors and used the deed to

assuage their concerns. Deponents in the suit claimed that Wall was especially concerned about legal attention because he had previously been involved in a scheme to kidnap a different enslaved man and illegally sell him in North Carolina.

1858-022: John D. Miller vs Margaret J. Miller

Scope and Content

Divorce Suit: John D. Miller accused his wife Margaret of not only having multiple affairs and engaging in sex work, but also moving to Tennessee to escape prosecution for attempting to murder another woman who was involved with one of her lovers. Included as evidence were several examples of Margaret's correspondence that discuss her affairs, including messages written to a partner regarding the best times and places for them to meet.

1860-006: Julia A. Thomas vs James D. Thomas

Scope and Content

Divorce Suit: Julia A. Thomas accused her husband James D. Thomas of extensive physical and emotional abuse throughout their marriage. The abuse culminated in John kidnapping their young child to force Julia to sign over the rights to dower land, leading Julia's father and brother-in-law to smuggle money to her to help her run away from their home. John retaliated by attempting to sue his father-in-law and extended family for convincing and aiding his wife to escape. Notable matters covered in this suit include discussions of contemporaneous birth control methods and religious attitudes towards them, depositions by John's former students at an all-girls school discussing their experiences as students and boarders, and accusations by John that his in-laws were connected to "women of ill-repute" and unwed mothers.

1860-032: Charlotte Fulford vs Francis Fulford

Scope and Content

Divorce Suit: Charlotte Fulford was seeking a divorce from her husband after he abandoned her and their child while they were living in Iowa in order to move to California to participate in the gold rush. Charlotte was forced to sell most of the family's property to fund their return to Virginia, and then support herself and her child alone by working as a schoolteacher.