



LIBRARY OF VIRGINIA

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Stories from Montgomery County Chancery Records Freely Available Online **Thanks to Library of Virginia and Montgomery County Circuit Court Clerk's Office partnership**

FOR IMMEDIATE RELEASE

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(Richmond & Christiansburg, Virginia) – Nearly 150 years of Montgomery County history is now freely available online to anyone with Internet access, thanks to the digital reformatting of the county's chancery causes. In a partnership between the Library of Virginia and the Montgomery County Circuit Court Clerk's Office, the project was accomplished with funds from the Circuit Court Records Preservation (CCRP) program. The initial phase of the project to flat-file, index, and conserve the records was funded in part by a two-year grant from the National Historical Publications and Records Commission (NHPRC).

The Montgomery County chancery collection covers the years 1773 through 1913 and is the 70th locality to have chancery causes digitally reformatted through the innovative CCRP program. The program is a partnership between the Library of Virginia and the Virginia Court Clerk's Association (VCCA), which seeks to preserve the historic records of Virginia's circuit courts.

Case by case, chancery causes tell the story of Virginia. Voices from the past can be heard in these records. Cases began with a bill of complaint, explaining the background of the action, followed by an answer from the parties being sued. Chancery cases could not be readily decided by existing written laws, so judges and court-appointed commissioners decided a fair and equitable settlement of the case based on the evidence presented and reported their findings to the court. The court's decision, or final decree, was the last step in the proceedings. These records reveal detailed stories about individuals, illuminating the history of the county in which they lived. The chancery cases in Montgomery reflect the county's development, including the construction of turnpikes, mineral spring resorts, and educational institutions. A broad spectrum of citizens—rich and poor, black and white, enslaved and free—appear in chancery cases. Many early cases make reference to Native Americans in the area, and several suits concern agreements for the digging and sale of ginseng root, long an Appalachian medicinal commodity.

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Chancery cases contain useful information for biographical, genealogical, and historical research. They often address the division of estates, divorce proceedings, the resolution of land disputes, and the dissolution of business partnerships. A pair of 1897 suits document the aftermath of Montgomery County's boom years in the late 1880s and early 1890s. Real estate speculation was the outgrowth of the nation's over-ambitious financial endeavors. Speculators purchased, divided, and sold county land at huge profits based on talk of future investment. Radford, having quickly grown from the small community of Central Depot to an independent city, was not immune to such anticipative investment. When the national economic bubble finally burst in 1893, one Radford speculator declared, "the industry harvest is past and we are not saved." Unfortunate landowners, feeling misled, were left to seek relief through the court.

Chancery cases are a valuable source of state, social, and legal history and serve as a primary source for understanding a locality's history. Chancery causes often contain correspondence, property lists (including enslaved people), lists of heirs, and vital statistics, along with many other records. Carefully drawn plats or maps sometimes illustrate cases involving property disputes. Two cases from 1850 contain Mutual Assurance Society insurance maps showing businesses and dwellings along Main, Round Oak, and Roanoke Streets in Fincastle. Such records can be invaluable to land title researchers or someone compiling a house history.

The suits Montgomery County residents brought against each other help researchers today unravel the stories of the past. In the post-Civil War era these suits were sometimes used to sort out the new social order that followed the freeing of enslaved people. In an estate dispute concerning the Currin family, former slave Margaret Taylor submitted a claim on James Currin's estate for supplies and services rendered. She asserted that she supported James Currin in his final years in a house that, she contends, she purchased from Currin while still a slave. Taylor's counsel provided testimony from both white and black witnesses who offered evidence on the topic. Several depositions provide information on labor contracts and tenants, both common after the war.

The Library of Virginia's online Chancery Records Index is a result of archival processing projects sponsored by the Virginia Circuit Court Records Preservation Program at the Library. Each of Virginia's 120 circuit courts is eligible to receive a grant from the CCRP to preserve records located in the circuit court clerk's office. Records may also be transferred to the Library of Virginia, where trained archivists carefully unwrap bundles of court papers, flat-file the documents, rehouse them in acid-free folders and boxes, and index information useful to researchers. The Library's in-house conservation lab stabilizes and professionally repairs court documents that are fragile or damaged by moisture, dirt, use, and age. These modest sheets of paper effectively reveal the small things and daily cares that are often forgotten in the big picture of history.

"The importance of these records in documenting the rich and varied history of Montgomery County and its citizens cannot be underestimated," said Greg Crawford, Local Records program manager at the Library. "To fully understand the history of a county and a region, researchers must delve into the records of the local circuit court, particularly the chancery records, because they provide critical information and rich details for historians, genealogists, and other researchers." The Library credits circuit court clerk Erica W. Williams, chief deputy court clerk Bridget Adams, and other staff members for their strong commitment to preserving these important records. "Without the cooperation of Erica, Bridget, and the rest of the staff," he explains, "this project could not have reached such a successful conclusion."

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About the Virginia Circuit Court Records Preservation Program

The Circuit Court Records Preservation Program (CCRP) is a part of the Library of Virginia's Local Records Services Branch. Funded through \$1.50 from the clerk's recordation fee, the CCRP provides resources to help preserve and make accessible permanent circuit court records. The program, in partnership with the Virginia Court Clerk's Association, awards grants to the commonwealth's circuit court clerks to help them address the needs of the records housed in their localities. More information on the CCRP at the Library of Virginia can be found at: www.lva.virginia.gov/agencies/CCRP.

About the Montgomery County Circuit Court

The Montgomery County Circuit Court is the trial court of general jurisdiction that has full common law equity powers in all civil and criminal cases, along with additional powers and jurisdiction conferred by the Constitution. It is the only court in the county that has the authority to conduct jury trials. Its broad jurisdiction includes major civil cases and serious criminal cases. For more information, visit: www.montgomerycountyva.gov/content/15987/16001.

About the Library of Virginia

The Library of Virginia (www.lva.virginia.gov), located in downtown Richmond, holds the world's most extensive collection of material about the Old Dominion and has been a steward of the commonwealth's documentary and printed heritage since 1823. The story of Virginia and Virginians has been told in many ways since 1607. At the Library of Virginia it is told through more than 116 million manuscripts and nearly 2.5 million books, serials, bound periodicals, microfilm reels, newspapers, and state and federal documents, each an individual tile in the vast and colorful mosaic of Virginia's experience.