

**Commonwealth vs Bob or Robert a Slave**  
**20 March 1826**

Prince William County to wit: Whereas John M. Clarke of the said County hath this day made oath before me a Justice of the peace in the County aforesaid that on the night of the fourth of February 1826, the cellar of his dwelling house was forcibly broken open, and entered, and there was stolen and carried away from said cellar about eighteen pieces of pork and beef and that he hath just cause to suspect and does suspect that Bob a slave the property of Richard B. Tyler did feloniously steal, take and carry away the same. These are therefore to command you forthwith to apprehend the said Bob and bring him before me or some other Justice of the peace in the county aforesaid, to answer the said information and complaint, and further to be dealt with according to law. Given under my hand and seal this 23rd February 1826.

Chas. Hunton (seal)

Summon Mina & Burgess & Jerry the property of James B. Ewell.

C. H.

February 24th 1826 upon examining John M. Clarke , Burgess & Mima the property of James B. Ewell. I find it proper to send Bob to jail to be tried by an examining court..

Charles Hunton

Prince William County to Wit: To the sheriff of the said County, whereas Bob a slave the property of Richard B. Tyler of this county was this day committed to the jail of this County by my warrant for breaking open the cellar of John M. Clark and stealing there from a quantity of pork and beef it appearing to me that the felonious offence wherewith he stands charged ought to be examined unto by the county Court; Therefore on behalf of the Commonwealth I require you that you summon at least eight of the Justices of your said county to meet at the court house on the 20th day of March next and then and there to hold a court for the examination of the fact which the said Bob stands charged, and for such other purposes concerning the premises as it by law required and directed; and that you then have then this warrant. Given under my hand and seal this 24th February 1826.

Charles Hunton (seal)

Prince William County to Wit: To Walter Warder (deputed as constable) and to the Jailor in the said County.

These are to command you Walter Warder in the name of the Commonwealth, forthwith to convey and deliver unto the custody of the said Jailor the body of Bob a slave the property of Richard B. Tyler of the county aforesaid charged before me of breaking open the cellar of John M. Clarke and stealing there from a quantity of pork and beef. And you the said keeper are hereby required to remove the said Bob into your custody in the said jail and him their safely keep, until he shall thence be discharged by due course of law. Given under my hand and seal in the County aforesaid this 24th February 1826.

Chas Hunton (seal)

Commonwealth against Bob or Robert the slave of one Richard B. Tyler for burglary and felony.

John M. Clarke a witness on behalf of the Commonwealth provided that the cellar door attached to his dwelling house was on the night of the fourth day of February 1826 forcibly broken open and entered into by some person and taken there from sixteen pieces of salted pork and two pieces of salted beef, altogether of at least the value of twenty dollars, that eight or ten days or perhaps more he made a search for the same and found two pieces of pork to wit: a shoulder and jowl corresponding in appearance with the pieces of the pork stolen from him in the possession of a Negro man named Burgess, the property of one James B. Ewell who said he got it from a woman of the said Ewell's called Mimy who had brought it there on Sunday preceding day and asked him to take care of it for her. Witness then went to see Mimy who informed him that Bob had brought to her six pieces and said Bob informed her he had gotten it from a cellar attached to the house occupied by Mr. Stith in the year 1825 and

witness further proved that he occupied the same house at the time the cellar was broken open that Mr. Stith occupied in 1825. The witness says that (the next three lines crossed out).

Burgess, a slave, witness on behalf of the Commonwealth proved that on Sunday the 26th of February last he received two pieces of hog-meat to wit. a shoulder & a jowl from Clima the reputed wife of the accused, who told him that she would give him the jowl if he would take care of the shoulder; and he carried it in a upper chamber in the cabbin where he lodged & there kept it.

Clima, a witness on behalf of the Commonwealth proved that the prisoner at the bar delivered her sundry pieces of hog-meat, to wit, three middlings, one shoulder & two jowls about three weeks before she delivered the shoulder & jowls about three weeks before she delivered the said shoulder & jowl to Burgess to keep on the Sunday morning after the first search was made for the stolen property in question by constable Warden, & other said witness John M. Clarke being in company; that she delivered the same to said Burgess about two hours before day-light on the said Sunday morning; that the meat was delivered to her by the accused on Sunday morning; that the meat was delivered to her by the accused on Sunday morning between two & three hours before day light; that suspecting the accused did not come honestly by the meat, and fearing someone might find it in the house, she hid it under the straw at her masters stock-yard; where one piece was taken by the dogs, & the rest was used by her, & the rest except the two pieces delivered to Burgess ; that, after the search, she delivered those two pieces to Burgess because she thought his house would not be examined for them.

The same witness John M. Clarke proved that the first part referred to by the witness Mima was made on a Saturday about six or seven days prior to the day of the date of the warrant for the apprehension of the accused which date is the 23rd day of February 1826; that the meat he lost from his cellar is aforesaid consisted of middlings, shoulder, & he believes two jowls; that the accused was committed to jail about one day after the date of the said warrant; that he took no note of the date when his cellar was broken open, & plundered, and he has fixed on the 4th day of February on that date merely from general recollection; but he is certain that it was the day before a fox chase in his neighborhood when W. William Florence was present.

William Florence and other witness on behalf of the Commonwealth proved that the fox-chase mentioned by witness John M. Clarke took place on the third Saturday in January.

Said witness Clima being further examined proved that the accused, she claims as her husband; that he visited her only once a fortnight; that he delivered her the meat aforesaid when he was to see her on his regular visit at once a fortnight; that he delivered her the said meat on the second visit next preceding the day when the first search was made and that he paid her no visit in that period except once a fortnight.

Virginia, Prince William County to Wit: Be it remembered that John Gibson attorney for the Commonwealth for the county of Prince William cometh here into court on this 7th day of March in the year one thousand eight hundred and twenty six into a special court of the Commonwealth composed of the justices of the peace of the county of Prince William aforesaid organized according to the provisions of an act of general assembly of Virginia in such \_\_ made and provided for the trial of slaves charged with treason or felony and for the said Commonwealth giveth the court to understand and be informed that a certain Negro Man slave named Bob or Robert late of the said county the slave and property of one Richard B. Tyler of the county aforesaid on the night of the fourth day of February in the year one thousand eight hundred and twenty-six about the hour of twelve o'clock with force and arms in the county aforesaid the meat house of one John M. Clarke in the said meat-house, within the cellar of the dwelling house of the said John M. Clarke then and there being and situate, there and then feloniously and burglariously to steal take and carry away; and then and there with force and arms the goods chattels and property of the said John M. Clarke to wit: sixteen pieces of salted pork and two pieces of salted beef of the value of twenty dollars. The said meat-house within the \_\_\_ of the said dwelling house of the said John M. Clarke and there being found, then and there feloniously and burglariously did steal take and carry away against the peace and dignity

of the Commonwealth and against the force of the act of the general assembly of Virginia in such case made and demanded.

And the said John Gibson as aforesaid giveth the court further to understand and be informed that a certain negro and slave names Bob or Robert late of the said county of Prince William, the property of one Richard B. Tyler of the county aforesaid on the fourth day of February in the year one thousand eight hundred and twenty six being a person of wicked mind and corrupt disposition on the said fourth day of February in the year one thousand eight hundred and twenty six at night about the hour of twelve o'clock with force and arms at the county aforesaid the mansion house of one John M. Clarke.

There situate feloniously and burglariously did break and enter with intent the goods chattels and property of the said John M. Clarke in the said mansion then and there being then and there feloniously and burglariously to steal take and carry away and then and there with force and arms the goods chattels and property of the said John M. Clarke to wit: sixteen pieces of salted pork and two pieces of salted beef of the value of twenty dollars in the said mansion house then and there feloniously and burglariously did steal take carry away against the peace and dignity of the Commonwealth and against the force of the general assembly of Virginia in such case made and provided.

[ On March 7th 1826 Bob or Robert was "found not guilty, and thereof is acquitted"]