

Brentsville, Va., 9 November 1830

Box # 2, Folder # 3, Accession #42665

Virginia Governors Executive Papers – John Floyd, Esq.

To his Excellency John Floyd, Governor of Virginia, Richmond or to The Clerk of the Executive Council.

Prince William County Court November 1st 1830. Present, Michael Cleary, George W. Jackson, Robert Hamilton, Richard Foote, Redmon Foster, James Gwatkin, Thomas B. Hamilton, Benjamin Johnson, and Thomas C. Thornton, gentlemen justices.

Ordered that Jesse Ewell, Michael Cleary and George W. Jackson be nominated to the Executive as proper persons either of whom may be commissioned as Sheriff of this County, One Justice Dissenting.

Teste P. D. Dawe Cl. Cur.

When the nomination of Sheriff was about to be made this day a letter was presented to the Court from John Fox asserting his right to be nominated in the room of one of the persons named in said nomination. But it appearing to the Court that the said Fox has heretofore refused to Act as a Magistrate, and it farther appearing that for years past he has been mentally disqualified from acting and still continues so, they refused for these reasons to notice his application.

Teste P. D. Dawe Cl. Cur.

Brentsville, Va., 9 November 1830

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Virginia Governors Executive Papers – John Floyd, Esq.

To his Excellency John Floyd, Governor of Virginia, Richmond

Sir,

Enclosed you will receive copies of two records, one in the case of the Commonwealth against Slave Eliza, the other against Slave George; both of whom have lately been condemned to death by the County Court of Prince William.

Very respectfully
your obedient servant
P. D. Dawe Cl. Cur.

Brentsville, Va., 16 November 1830

Commonwealth of Virginia vs George

Box # 2, Folder # 3, Accession #42665

Virginia Governors Executive Papers – John Floyd, Esq.

At a Court of Quarterly Sessions continued and held for Prince William County the 4th day of November 1830. Present, George W. Jackson, Richard Foote, James Gwatkin, Redmon Foster, and John Fitzhugh, gentlemen justices.

The Court proceeded as a Court of Oyer and Terminer to the trial of negro man Slave George the property of David Jamison charged with Felony and Burglary (the called court heretofore summoned having failed to meet) and assigned John P. Philips his counsel, Whereupon the attorney for the Commonwealth came into court and filed an information against him in these words Vizt.

“Virginia, Prince William County to Wit: Be it remembered that John Gibson Jr. attorney for the Commonwealth for the County of Prince William cometh here this fourth day of November in the year Eighteen Hundred and Thirty into a Special Court of the Commonwealth of Oyer and Terminer composed of the justices of the peace of the County of Prince William duly organized according to the provisions of the Act of the General Assembly of Virginia in such case 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 George late of the County aforesaid the property of one David Jamison of the County aforesaid about twelve o'clock at the night of the twenty first day of July in the year aforesaid, being a person of a wicked mind and disposition, feloniously and burglariously did break and enter the meat house of one Stephen French in the County aforesaid with intent the goods and chattels of the said Stephen French in the said meat house then and there being which said meat house was within the cartilage of the Mansion house of the said Stephen French and parcel thereof, with intent the goods and chattels of the said Stephen French in the said meat house then and there being then and there feloniously and burglariously to steal take and carry away and then and there with force and arms divers pieces of meat, to wit, Bacon, of the goods chattels and property of the said Stephen French in the same meat house then 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 form of the Act of the General Assembly of Virginia in such case made and provided. And the said attorney giveth the court further to understand and be informed that in the day and year last aforesaid at the County aforesaid about the hour of twelve o'clock at night of the same day with force and arms a certain Negro Man named George late of the County aforesaid the property of one David Jamison of the said County the dwelling house of the said Stephen French there situate then and there feloniously and burglariously to steal take and carry away and then and there with force and arms divers pieces of meat to wit, Bacon of the value of thirty dollars of the goods chattels and property of the said Stephen French in the same dwelling house then 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 form of the Act of the General Assembly of Virginia in such case made and provided.

John Gibson Junior Attorney
for the Commonwealth for the County
of Prince William

And upon the information aforesaid the said George was arraigned and upon his arraignment pleaded not guilty and for his trial put himself upon God and this Court. And the Court proceeded to examine Sundry Witnesses for the Commonwealth. On consideration whereof are unanimously of opinion that the said George is guilty of the offence wherewith he stands charged. It is therefore considered and ordered by the Court that he be remanded to Jail the place from whence he came and there to remain until the day of his Execution and from thence taken to the place of Execution and hanged by the neck until he be dead on the first Friday in January next between the hours of 10 o'clock in the morning and four o'clock in the afternoon of that day. And the Court is of opinion that the said George is worth \$450.

The following was the Evidence taken in this case: Commonwealth against George a Slave the property of one David Jamison charged with Burglary.

Stephen French a witness on behalf of the Commonwealth states on oath that on the night of the twenty first day of July 1830 his meat house was broken open by forcing the lock and a quantity of Bacon taken there from, he thinks to the value of thirty dollars, but in the value he only speaks from impression; the meat house is not more than twenty four feet from his dwelling house and in the same enclosure with the dwelling house, was in the meat house the preceding evening and it was then when he left it locked.

Lawrence G. Alexander another witness states that the prisoner at the Bar he thinks on the twenty second day of last month's October, confessed to him without any threat or inducement that he the prisoner with another Slave had broken open the meat house of Stephen French and taken there from Bacon.

James Fewell states in substance the same as L. G. Alexander, and adds that prisoner said he got four pieces of the meat & another slave got five or six pieces.

John Gibson Jr. attorney for the Commonwealth
for Prince William County Court

And the Court recommends the said George to the mercy of the Executive.

The following papers are filed in the case Vizt. "Prince William County to;

To John Weedon constable of the said County, Whereas Stephen French of the said county hath this day made information and complaint upon oath before me John Fitzhugh a Justice of the peace for the said county, that some time in the month of July he thinks about the 21 day of the month a certain quantity of Bacon was feloniously stolen, taken and carried away from the meat house of him the said Stephen French in the county aforesaid and that he hath just cause to suspect and doth suspect that David Jamison's servant George. Major William Ashmores servant Ben & Mrs. Sigismunda Alexander servant Jacob of said county (after forcing the lock of the meat house feloniously did steal take, and carry away the same. These are therefore to command you forthwith to apprehend them the said slaves and to bring them before me or some other Justices of the Peace to answer unto the said information and complaint and to be further dealt with according to law. Herein fail you not.

Given under my hand and seal this 22nd day of September 1830

Jno. Fitzhugh

Executed the 5th October 1830 – Jno. C. Weedon, Constable

To the Sheriff of Prince William County or the keeper of the Jail of said County. Prince William County to Wit: These are to command and require you, in the name of the Commonwealth to receive into your Jail the bodies of Jacob a slave of Segismunda Alexander, and George the slave of David Jamison of the County aforesaid, taken and brought before us for felony and burglary by them committed in breaking and entering the meat house of Stephen French of said county and carrying away from thence a certain quantity of Bacon about four hundred

weight. You are hereby required to keep the said Jacob & George safely, without Bail or Mainprize until discharge by due course of law.

Given under our hands and seals this 5th day of October 1830

Thomas Nelson (SEAL)

Thomas C. Thornton (SEAL)

Prince William County to wit:

To the Sheriff of said County

Whereas Negro George a Slave of David Jamison & Jacob a slave of Mrs. Alexander of this county was this day committed to the Jail of this County for have broken the meat house of Stephen French and taking there from say about 400 lbs. weight) it appearing to me that the felonious offence wherewith they stand charged ought to be examined into by the county court therefore on behalf of the Commonwealth I require that you summon at least eight of the justices of your county to meet at the Court House on Monday next & then & there to hold a court for the examination of the fact with which the said persons as is by law required & directed & that you have then there this warrant.

Given under my hand & seal 5th day of October 1830

Thomas Nelson (SEAL)

Executed – B. Cole deputy sheriff for Jno Hooe Jr.

I Philip D. Dawe clerk of the County Court of Prince William, do hereby certify, that the foregoing is a true copy of the record of the proceedings in the case of the Commonwealth against Negro George. Given under my hand this 9th day of November 1830.

P. D. Dawe Cl. Cur.

Brentsville, Va., 16 November 1830

Commonwealth of Virginia vs Negro Eliza

Box # 2, Folder # 3, Accession #42665

Virginia Governors Executive Papers – John Floyd, Esq.

At a Court of Quarterly Sessions continued and held for Prince William County the second day of November 1830. Present, Richard Foote, Redmon Foster, and John Fitzhugh, Thomas C. Thornton & John W. Williams, gentlemen justices.

The Court this day proceeded as a Court of Oyer and Terminer to the trial of negro girl Eliza the property of Anna Ward charged with Felony and Burglary (the called court heretofore summoned & having failed to meet) and assigned Nathaniel Tyler her counsel, Whereupon the attorney for the Commonwealth came into court and filed an information against her in these words Vizt.

“Virginia, Prince William County to Wit: Be it remembered that John Gibson Jr. attorney for the Commonwealth for the County of Prince William being present here in court this second day of November in the year Eighteen Hundred and Thirty gives the court to understand and be informed as a Special Court of the Commonwealth of Oyer and Terminer composed of the justices of the peace of the County of Prince William duly organized according to the provisions of the Act of the General Assembly of Virginia in such case 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 girl named Eliza late of the County aforesaid the property of one Anna Ward of the County aforesaid on the seventh day of September in the year aforesaid, about twelve o'clock at night of the said last mentioned day being a person of a wicked mind and disposition, with force and arms at the county aforesaid the dwelling house of one Anna Ward there situated feloniously and burglariously did break and enter with the intent the goods and chattels of the said Anna Ward in the said dwelling house then and there being then and there feloniously and burglariously to steal take and carry away and then and there one trunk containing silver coin and bank notes to the value of one hundred and forty two dollars. To wit money in silver coin to the value of three dollars and bank notes to the value of one hundred thirty nine dollars of the goods chattels and property of the said Anna Ward in the dwelling house aforesaid then and there being found feloniously and burglariously did steal take and carry away against the Peace and dignity of the Commonwealth and against the form of the Act of the General Assembly of Virginia in such case made and provided.

And the said attorney giveth the court further to understand and be informed that a certain Negro Man named Charles late of the County aforesaid the property of one Sarah Courtney of the said County aforesaid being a person of wicked mind and disposition on the night of the seventh day of September in the year aforesaid about the hour of twelve o'clock before the committing of the said felony and burglary in manner and form aforesaid. To wit

on the seventh day of September in the year aforesaid about the hour of twelve o'clock at night of the same day with force and arms at the county aforesaid did feloniously and maliciously incite move procure, aid and abet, counsel here and command the said Negro girl Eliza to do and commit the said felony and burglary in manner and form aforesaid against the form of the Act of the General Assembly of Virginia in such case made and provided and against the peace and dignity of the Commonwealth.

John Gibson Junior Attorney
for the Commonwealth for the County
of Prince William

And upon the information aforesaid the said Eliza was arraigned and upon his arraignment pleaded not guilty and for his trial put himself upon God and this Court. And the Court proceeded to examine Sundry Witnesses for the Commonwealth. On consideration whereof are unanimously of opinion that the said Eliza is guilty of the offence wherewith he stands charged. It is therefore considered and ordered by the Court that he be remanded to Jail the place from whence she came and there to remain until the day of her Execution and from thence taken to the place of Execution and hanged by the neck until she be dead on the first Friday in January next between the hours of 10 o'clock in the morning and four o'clock in the afternoon of that day. And the Court is of opinion that the said Negro Eliza is worth three hundred dollars.

The following was the Evidence taken in this case: Commonwealth against Slave Eliza the property of one Anna Ward charged with Burglary. The evidence of Anna Ward – On Tuesday night the seventh of September 1830 a trunk belonging to her the said Anna Ward containing in bank notes ninety dollars which was in a small red Morocco pocket book a good deal worn and forty or forty five dollars in bank notes in a linen bag, the latter was in five dollar notes, there was some silver in the trunk but amount not known was taken from her house. The Thursday night after the said Tuesday night she had occasion to go in a chest which contained the said trunk and after searching for the key of the chest which could not be found another key was found which opened it and she then discovered the trunk with the contents to be gone and upon calling upon her servants to come to her the others came but the prisoner did not knowing that no stranger knew where the key was and could not have been in she charged prisoner with it, who positively denied having taking the trunk but upon witness stating to her that she believed her guilty and that she would send for Mr. Clary (who is a justice of the peace) for her son and son in law and that she was sure she had the money & that it would send her to jail, and upon asking her what she had done with the trunk she replied she had given it to Grandison Turner, she then told her she did not expect she had given it to Turner as witness had understood Turner was gone, but she insisted she had given it to him, and that he had promised for fifty dollars to carry her (and another slave) to a free State to get married. Prisoner then told where the key of the trunk was, and upon witness going to the place described found the keys. Prisoner further said when she took the trunk out Tuesday night she concealed it till everyone had gone to bed when she met Turner at the stable who took the trunk to Mrs. Courtnies and said he had opened the trunk he said there was not fifty dollars in it but forty two dollars and a half and she must go back and get more she said she then returned and took a small trunk that witness used to keep change in and said she took from the pocket of witness the key of the latter trunk & the watch of the witness which was hanging over a mantel piece in the room & carried both to Turner who told her as she said that the watch was not worth much and would be missed early in the morning and that the small change would also be missed too early in the morning. Whereupon she said she brought back the latter trunk and the watch. On Wednesday morning witness discovered in the small trunk a number of papers receipts untied and laying loosely in the trunk which witness cannot then account for. Prisoner said she had carried her clothes out Tuesday night in order to go off and her clothes were found next morning bundled up. Prisoner said Grandison Turner was gone to his uncle Thomas Turner in the neck.

William A. Williams another witness for the Commonwealth.. When witness got a note from Mrs. Ward to attend he did so on the Friday morning after the Tuesday night before spoken of, and on his way with prisoner to Mr. Clary's the justice of peace she the prisoner acknowledged she had taken the trunk and witness neither threatened her or promised any advantage in order to obtain said confession. Prisoner also made to his witness a statement in relation to Grandison Turner corresponding in substance with the statement made by Mrs. Anna Ward. Which evidence is ordered to be made a part of the record

Jno Gibson Jr.
Attorney for the Commonwealth

At a Court of Quarterly Sessions continued and held for said County, November 4th 1830. Eliza a negro Slave who was on the second day of this court condemned to death for felony and burglary is recommended to the mercy of the Executive.

To James S. Jackson constable to execute:

The following papers are filed in this case. Prince William County to wit: To the Keeper of the Jail of said county. Whereas Eliza a Negro girl the property of Anna Ward. Charles Grandison Turner and a Negro man Slave named Charles the property of (blank space) hath been arrested on a charge of felony. Therefore on behalf of the Commonwealth I command you that you receive the said Negro girl Eliza, Charles Grandison Turner and negro Charles into your custody in the said Jail, there to remain till they be delivered from your custody by due course of law. Given under my hand and seal at the said county this 11th day of September 1830

Michael Cleary (seal)

Prince William County to Wit:

To the Sheriff of said County – Whereas Charles Grandison turner, a servant girl named Eliza, the property of Anna Ward, and a negro man Slave named Charles the property of (space blank) and lately in the employ and occupancy of Sarah Courtney hath this day been committed to the Jail of the said county of Prince William by my warrant, charged with felony and it appearing to me that the felonious offence wherewith they stand charged ought to be examined into by the county court, therefore, on behalf of the Commonwealth. Inquire you, that you summon at least eight of the justices of your said county, to meet at the Court House on Saturday the 18th of September 1830 and then and there to hold a court for the examination of the fact with which the said Charles Grandison Turner, the servant girl Eliza, and the said negro man slave Charles stands charged, and for such other purposes concerning the premises, as is by law required & directed and that you have then & there this writ. Given under my hand and seal at Occoquan in the County aforesaid this 11th day of September 1830.

Michael Cleary (seal)

Sheriffs return on the last mentioned warrant
Executed – B. Cole D.S. for Jno. Hooe Jr.

I Philip D. Dawe clerk of the County Court of Prince William do hereby certify that the foregoing is a true copy of the record of the proceedings in the case of the Commonwealth against Eliza. Given under my hand this 9th day of November 1830

Teste P. D. Dawe Cl. Cur.

Brentsville, Va., 16 November 1830

Petition for pardon of Jacob Rolls

Box # 2 , Folder # 4, Accession #42665

Virginia Governors Executive Papers – John Floyd, Esq.

To the Honorable the Executive of the Commonwealth of Virginia – The petition of the undersigned who were jurors impaneled in the case of the Commonwealth vs Jacob Rolls, tried in the Superior Court of Law of Prince William County at its November term 1830, and who upon their oaths were constrained to find a verdict of guilty against said Rolls, would respectfully represent, that though by their verdict aforesaid they had subjected said Rolls to the punishment which the laws have annexed to his office, yet they feel convinced that, from the evidence in the case and other circumstances connected with the defendant his standing and family, that punishment would in its severity, if inflicted, be greatly more than commensurate with the degree of criminality of the offence charged against him. The evidence before the undersigned was wholly circumstance and it is in proof before them that the said Rolls has heretofore been the character of an industrious, honest & thrifty man. He is moreover the parent of eleven children whom he has supported by his hard earnings, exclusively, and who are all too young to make their way in life, (the oldest not being over 14 years of age. The defendant is not more than 45 or 50 years of age, and if he be guilty of the petty offence, of which the undersigned, from the evidence, were compelled to convict him, he has yet time to profit by the severe admonition which their verdict has furnished him, and they do verily believe from their general information of his character and standing in society, that he will if pardoned by your honorable body, yet here to resume the disgrace and _gnoming of his offence, and to leave to his unfunded family the merit of a name purified and reestablished by repentance and subsequent , and good conduct. To this end your petitioners would respectfully recommend him to the mercy of the Executive believing as they do, that the severity of his punishment, if inflicted will be much greater than the degree of his criminality, and that his circumstances, and

conduct heretofore afford the presumption that he will hereafter within the pale of the law, if not within the limits of moral rectitude. Our petitioners need make no appeal to your sympathies a poor man with a very young family of dependent children, dependent as well for their reputation as their support presents a picture so eminently the subject of compassion as to render such an appeal unn----- . All which is respectfully submitted to the consideration of your honorable body the undersigned jurors who were impanelled and found the verdict in the case aforesaid.

Thomas Cocke
Walter Keys
John Stone
Thomas Norman

The punishment ordered to be inflicted in the above case was three months imprisonment & stripes; apart that relating to stripes has been inflicted.

To the Executive of Virginia

We the undersigned who are made acquainted with the character &c of Jacob Rolls, the person referred to in the foregoing petition, and the circumstances of his trial do fully concur in the said petition, and respectfully recommend the said Rolls to the mercy of the executive.

George W. Macrae, attorney	James Craig	Daniel Ratcliffe, attorney
Edward Hord	Robert Hord	Jas E. Williams
P. Norvill, deputy sheriff	Jesse Cockrell	Jas B. Hayes
Edward T. Ratcliffe	William M. Lynn	Robert B. Merchant
A. H. Smith	John F. Reid	Richard W. Wheat M.D.
Robert Alexander	Phil Carter	Vincent Stonnel
Samuel Cockrell	Francis Colbert	W. Colquhoun
Samuel C. Boyton	James A. Colquhoun	A. Morgan
John Fox	H. Speake	Wm. Blaking
M. D. Murphey	Daniel K. Forgey	John A. Stangle
Thos Towles	Alexander Wedderburn	James B. C. Thornton MD
Thomas Chapman	Richard Speake	Wm D. Dowell
Geo Renoe	Chs. Renoe	Wm. Purcell
Elias King	Robert H. Ming	B. Cole D.S.
David Jameson	Tho. Hord attorney	G. Washington attorney
Jno W. Williams J.P.	Thompson Lynn	____ McDuffee

Brentsville, Va., 17 May 1830

Clemency Petition of John Carney

Box # 3 , Folder # 5, Accession #42665

Virginia Governors Executive Papers – John Floyd, Esq.

To his Excellency John Floyd, Governor of Virginia, Richmond
Commonwealth of Virginia vs John Carney

We the undersigned, who were members of the jury impaneled in this case try the prisoner John Carney, who pleaded guilty of the charge of Larceny and of which charge we as jurors did not hesitate to find him guilty, nevertheless, as men, cannot withhold our names from an application to the Executive of Virginia to extend to the prisoner that clemency which belongs to their office under the constitution of the state and by the laws of the land. The undersigned are impressed, with the opinion, from the facts and circumstances developed in the progress of this cause, that although they were forbidden, on their consciences as jurors, to award a verdict of acquittal to the prisoner, yet the prisoner presents many claims to mercy. Among other facts and circumstances they would suggest that the prisoner has been in confinement in the jail of this county (Prince William) for the space of fourteen months, during the far greater portion of which, it appears, that he in vain sought a trial of his offence, to which he pleaded guilty before the Examination Court. He has a large family of children & a wife dependant on him, and he has already suffered more than one half of the punishment to which under the law & the facts of his case, we were constrained to consign him. We therefore the undersigned, who were jurors as aforesaid in the said case of The Commonwealth vs John Carney aforesaid, this day tried before the Superior Court of Prince William County, in

which case we found him guilty of the crime of grand larceny, and fixed his term of confinement to two years, do recommend him to Executive clemency for the above mentioned reasons, by which we could not be influenced as jurors to the acquittal of the prisoner.

Signed, May 17th 1830 by
Francis Hooe
Charles J. Fox
William Ashmore
Walter Keys
John G. Rubleman

Brentsville, Va., 24 November 1830

Commonwealth of Virginia vs George

Box # 2 , Folder # 4, Accession #42665

Virginia Governors Executive Papers – John Floyd, Esq.

To His Excellency John Floyd Esquire, Governor of Virginia, Richmond or Clerk of the Executive Council

Sir,

The Court of the County of Prince William has desired me to ask if you have received the recommendations of William H. Tebbs & Albert Newman who were recommended to the Executive to be Commissioned as Magistrates in this County at August Court last.

Teste P. D. Dawe