

# A Guide to the Montgomery County (Va.) Criminal Records, 1750-1993

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A Collection in the Montgomery County (Va.) Circuit Court 001-039  
Montgomery County (Va.) Circuit Court  
2016  
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## History

**Processed by:** Sarah Nerney

## Title Statement

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**Author:** Regan Shelton

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## Profile Description

**Creation:** Machine-readable finding aid created directly into EAD, created by Greg Crawford, 28 January 2016

**Language Usage:** Description is in English

## Descriptive Summary

### Box numbers

001-039

### Language

English

### Collector

Montgomery County (Va.) Circuit Court

### Physical Characteristics

15.30 cu. ft.

**Location**

Montgomery County (Va.) Circuit Court

**Repository**

Montgomery County (Va.) Circuit Court

## Administrative Information

**Access Restrictions**

Contact Montgomery County (Va.) Circuit Court clerk's office for availability.

**Use Restrictions**

There are no restrictions.

**Acquisition Information**

These records were filed at the Montgomery County (Va.) Circuit Court during the course of court business.

**Preferred Citation**

Montgomery County (Va.) Criminal Records, 1750-1993. Montgomery County Court Records. Montgomery County (Va.) Circuit Court. Christiansburg, VA 24073.

## Adjunct Descriptive Data

### Related Material

The following indices can be used to search records found in this collection:

For Criminal Law first series, use index Miscellaneous Records plaintiff/defendant A-Z Augusta Co. 1750-1770, Fincastle Co. 1770-1776, Montgomery Co. 1776-1798

For Criminal Law second series, use Miscellaneous Records Montgomery Co., 1800-1900

For Criminal Law A series, use index General Index to Ended Common Law and Criminal Cases, 1832-1900

For Criminal Law, use index General Index to Ended Common Law and Criminal Cases beginning 1900 and General Index to Ended Circuit Court Criminal Cases, 1950-1993

For Justice's criminal, Warrants, Peace Bonds, and Search Warrants, there is no index. Use order books.

Grand Jury Presentments include file numbers, but no index to them that can be found.

## Historical Information

Montgomery County was formed from Fincastle County in 1776, and the county court first met on 7 January 1777. Part of Botetourt County was added in 1790. Part of Pulaski County was added in 1842. The county was named for Richard Montgomery, who was killed in the American assault on Quebec late in 1775.

Fincastle County was created from Botetourt County in 1772, and the county court first met on 5 January 1773. Fincastle County became extinct on 31 December 1776 when it was divided to form Montgomery, Washington and Kentucky Counties. The county was named probably for George, Viscount Fincastle, Lord Dunmore's son; for John Murray, fourth earl of Dunmore, Viscount Fincastle; or for the town of Fincastle, Virginia, which was established in 1772 and named for George, Viscount Fincastle.

## Scope and Content

Montgomery County (Va.) Criminal Records, 1750-1993 include criminal court cases and consist primarily of warrants, summons, indictments, and verdicts handed down by grand juries and other legal authorities in order to prosecute individuals who violated the penal code. These offenses ranged in severity from murder, rape, assault and battery, and larceny to tax evasion and slander. Criminal offenders and victims who appear in cases prior to the abolition of slavery in Virginia in 1865 included both free and enslaved persons.

Warrants were issued by grand juries, judges, and justices of the peace directing law enforcement officials to either arrest and imprison a person suspected of having committed a crime or to cause an individual to appear in court to answer accusations made against them. Peace warrants directing an offender to "keep the peace of the Commonwealth" or to restrain from any violent acts are commonly found in assault and battery cases.

Summonses were used to call a suspected person to appear in court. A summons could also be issued to

direct witnesses or victims to come before the court in order to provide evidence or information deemed pertinent to a case.

An indictment is the official, written description of the crime that an accused individual is suspected of committing, which is approved by a grand jury and presented to a court in order to begin legal proceedings. Due to this process, indictments are often referred to as "presentments."

Verdicts are the formal pronouncements made by juries on issues submitted to them by a judge or other law enforcement official. In the case of a guilty verdict, a judge will sentence the offender. Sentences may include a fine, corporal punishment, and/or imprisonment. Coroners also submitted verdicts such as "death by suicide," "death by natural causes," etc. when determining the cause of a suspicious or sudden death.

The collection is subdivided into the following series: Criminal Law first series, Criminal Law second series, Criminal Law A series, Criminal Law series, Justice's criminal, Warrants, Peace Bonds, Search warrants, and Grand Jury Presentments.

## **Arrangement**

Chronological.

Montgomery County (Va.) Circuit Court