

# A Guide to the Isle of Wight County (Va.) Commonwealth Causes Ended, 1774-1937

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## Title Statement

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**Author:** Sam Walters, Mary Ann Mason

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## Profile Description

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## Descriptive Summary

### Barcode numbers

1161429-1161437, 0007806061-0007806066

### Language

English

### Collector

Isle of Wight County (Va.) Circuit Court

### Physical Characteristics

11.25 cu. ft. (15 boxes)

**Location**

Library of Virginia

**Repository**

The Library of Virginia

## Administrative Information

**Access Restrictions**

There are no restrictions.

**Use Restrictions**

There are no restrictions.

**Acquisition Information**

These items came to the Library of Virginia in shipments of court papers from Isle of Wight County.

**Preferred Citation**

Isle of Wight County (Va.) Commonwealth Causes Ended, 1774-1937. Local government records collection, Isle of Wight County Court Records. The Library of Virginia, Richmond, Va. 23219.

## Adjunct Descriptive Data

### Related Material

Additional court records for Isle of Wight County can be found on microfilm at the Library of Virginia. Consult ["A Guide to Virginia County and City Records on Microfilm."](#)

Additional Isle of Wight County criminal records may be found at the Isle of Wight County Courthouse and the Library of Virginia.

Records related to free and enslaved people of Isle of Wight County and other localities are available on Virginia Untold: The African American Narrative Digital Collection at the Library of Virginia. Search the [Virginia Untold: The African American Narrative Digital Collection](#) Virginia Untold: The African American Narrative Digital Collection available at Virginia Memory.

## Historical Information

Isle of Wight County was named probably for the Isle of Wight off the south coast of England. It was first known as Warrosquyoake for an Indian tribe living in the area whose name means "swamp in a depression of land," and was one of the original shires, or counties, first enumerated in 1634. The present name was given in 1637. Parts of Nansemond County were added in 1769 and 1772.

Most pre-Revolutionary War-era loose records are missing. Volumes that record deeds, court orders, and wills exist. During the Civil War, the county clerk had Randall Boothe, a Black man he enslaved, transport the court records to Greensville and Brunswick counties for safekeeping. After the war ended, Boothe returned the records to Isle of Wight and served as courthouse caretaker.

## Scope and Content

*Materials in the Library of Virginia's collections contain historical terms, phrases, and images that are offensive to modern readers. These include demeaning and dehumanizing references to race, ethnicity, and nationality; enslaved or free status; physical and mental ability; religion; sex; and sexual orientation and gender identity.*

*The Library of Virginia will at times choose to retain original language in collection descriptions to preserve historical accuracy or to document context. Historical terms and phrases are indicated by the use of quotation marks to differentiate between language taken from a historical source and the language generated by Library of Virginia staff. Examples: Organizational names, titles, place names, and personally chosen identifiers.*

Isle of Wight County (Va.) Commonwealth Causes Ended, 1774-1937 are 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.

## Arrangement

Boxes 1-9 are arranged chronologically.

Boxes 10-15 contain commonwealth causes, 1774-1867, pertaining to free and enslaved persons, and are arranged chronologically.

## Selected Suits of Interest

### **1814 February: Commonwealth Causes: Commonwealth vs Willis Groce :**

#### **Scope and Content**

Willis Groce, a white man, accused of attempting to sell Peter, Tom, Derry, and Jack, formerly enslaved persons freed by the will of Willis' late brother, William Groce. Jury acquits Willis of the charges.

### **1817 cases concerning Miles a "runaway" enslaved man from South Carolina charged with murdering William Snow, a peddler :**

#### **Scope and Content**

1817 March 5: Commonwealth vs Miles (enslaved) :

The court charges Miles with the murder of William Snow a local peddler. The jury finds Miles guilty and sentence him to be hanged 1817 April 7.

1817 March: Commonwealth vs Benjamin Carr, etc :

Benjamin Carr, Elizabeth Matthews, and Polley English are charged with stealing or receiving known stolen goods. These goods are items believed to be stolen by Miles, after murdering William Snow. All parties are acquitted.

1817 April: Commonwealth vs David Taylor (free) :

The court charges David Taylor, a free Black man, with aiding Miles in feloniously obtaining a certificate of emancipation. The jury finds David guilty and turns the case over to the superior court.

1817 May 5: Commonwealth vs John W. English :

John W. English, a white man, is charged with forging and furnishing Miles with free papers under the alias David Johnson. The jury finds John guilty and sentence him to 12 months in the county jail and a \$200 fine.

1817 May: Commonwealth vs David Taylor (free) :

The court charges David Taylor, a free Black man, with feloniously assisting Miles, labeled by the law as a "runaway" enslaved man. A charge on which David is acquitted.

### **1823 May: Commonwealth vs Dempsey Carr, etc. :**

#### **Scope and Content**

Two white men, Dempsey Carr and Willis Carr, charged with the murder of John McCall, who was traveling through the area with his wife and child by way of North Carolina. The jury finds the brothers guilty, sentencing Willis to 18 years in state penitentiary and Willis to be hanged the 20th of June till he is dead. There is one reference in the depositions to John McCall with the descriptor "negro" but this is not indicated in any other documentation. John McCall and his family were also camped out on land owned by Nathan Butler, a free Black man, when the murder took place. While unclear based on the records, it is possible race played a role in this murder.

## **1825 July 4: Commonwealth Causes: Commonwealth vs Sally Peters (free) :**

### **Scope and Content**

The court charges Sally with kidnapping an unnamed Black boy from the county poor house. Sally is described as "Indian, mulatto, or free person of color."

## **1825 August 1: Commonwealth vs Robert Lawrence :**

### **Scope and Content**

Robert Lawrence, a white man, accused of beating Patience, an enslaved woman, so severely that she died from the injuries. The depositions describe the gruesome nature of Patience's injury as well as the merciless manner in which Robert beat and whipped Patience, exemplifying the true horrors enslaved people experienced at the hands of white people.

## **1826 May: Commonwealth Causes: Commonwealth vs Randall Allmond (free) :**

### **Scope and Content**

Randall Allmond stands charged of stabbing Isaac Ricks, a free Black man working as a blacksmith. Depositions and petitions in the Executive papers of Governor John Tyler, indicate there was a lingering feud between the two men. The jury finds Randall guilty, sentencing him to one stripe, to be sold into enslavement, and to be removed beyond the limits of the United States. Randall received an 1826 May 23 pardon from Governor John Tyler which still required Randall to remove himself and family beyond the commonwealth; however, census records and chancery suits indicate that Randall and his family remained in the county.

## **1827 June: Commonwealth Causes: Commonwealth vs Louisa Shepherd (free) :**

### **Scope and Content**

The court charges Louisa with suffering Arthur, an enslaved man, to go at large and trade as a freeman. Arthur is Louisa's husband. Sentence is unknown.

## **1831 November: Commonwealth Causes: Commonwealth vs Davy Thomas (free) :**

### **Scope and Content**

Davy Thomas is accused of taking part in Nat Turner's Rebellion (or Southampton Rebellion) by advising and conspiring with an enslaved person or enslaved people to rebel and make insurrection. Is found not guilty.

## **1833 May: Commonwealth Causes: Commonwealth vs William Stringer :**

### **Scope and Content**

William Stringer, a white man, accused and convicted to 4 years in prison for kidnapping Nancy Scott and her child James Scott, both free people, and then selling James and attempting to sell Nancy into enslavement in complete defiance of their human rights.

## **1836 March 7: Commonwealth Causes: Commonwealth vs Joe Tynes (free) :**

### **Scope and Content**

The court charges Joe Tynes with suffering Lovy, an enslaved woman, to go at large and trade as a free woman. The jury finds Joe guilty and orders Lovy be sold and the profits of the sale to go the state literacy fund. Representing how profits from the State's sale of Black people benefited the educational funds for white children in Virginia.

## **1838 Commonwealth cases concerning efforts to emancipate Dick, an enslaved man, enslaved by James Chalmers, a white man :**

### **Scope and Content**

1838 October 1: Commonwealth vs Dick Joyner (free) :

The court charges Dick Joyner with aiding and abetting Dick to escape from the enslavement of James Chalmers. The jury finds Dick Joyner guilty and sentences him to 5 years in the state penitentiary.

1838 October 9: Commonwealth vs John Wells :

The court charges John Wells, a white man, with aiding and abetting Dick to escape from the enslavement of James Chalmers. The jury enters a verdict of nolle prosequi "not to wish to prosecute" in the case.

1838 October 10: Commonwealth vs John Wells :

The court charges David Taylor, a free Black man, with aiding Miles in feloniously obtaining a certificate of emancipation. The jury finds David guilty and turns the case over to the superior court.

1817 May 5: Commonwealth vs John W. English :

John Wells is alleged to have forged a copy of the register of Dick Joyner, a free Black man, in order to help Dick, an enslaved man, escape from the enslavement of James Chalmers. The jury finds John guilty and sentences him to 2 years in the state penitentiary. The case contains Dick or Richard "Dick" Joyner's certificate of register.

## **1839 January 17: Commonwealth vs William B. Ballendine :**

### **Scope and Content**

William B. Ballendine, a white man living in Henrico, Virginia, accused of not adhering to terms of Robert's, a free Black child, indenture of apprenticeship. The court orders the indenture to be cancelled and to further see the court's minutes.

## **1839 June 4: Commonwealth vs Monroe Clements :**

### **Scope and Content**

The court charges Monroe Clements, a white man, with taking by force of arms an unnamed, freedom seeking enslaved woman from a William Denson, another white man. William Denson apprehended the enslaved woman as a "runaway" and was taking her to the magistrate in order to confine her to the local jail when Monroe Clements captured her.

## **1851 May: Commonwealth vs Augustus Ballard :**

### **Scope and Content**

Court accuses Augustus Ballard, a white Justice of the Peace, with knowingly failing to enforce the 36th and 37th sections of the 19th chapter of the act concerning public policy. The accusations assert that Augustus allowed Jacob Butler and Eady Butler, both free Black people, to migrate to Pennsylvania and New York (free states) and then return to the Commonwealth and knowingly give a false judgment in the matter discharging Jacob and Eady from custody. The jury entered a verdict of nolle prosequi. Also see 1851 May: Commonwealth vs Jacob H. Duck.

## **1856-1857 Commonwealth causes concerning Joseph Holloway :**

### **Scope and Content**

These cases concern about 35 accusations against Joseph Holloway largely occurring in 1855. The charges are generally either selling ardent spirits to free Black or enslaved people, or suffering an unlawful assembly of enslaved people on his property. The cases involving selling of ardent spirits name Emmanuel, Eley, Deik, and Jim as enslaved; and Everand Joyner, Peter Lawrence, and Paul Lawrence as free Black

people. There is no verdict in any of these cases as all warrants are returned "not found in county," indicating Joseph Holloway may have fled the state.

## **1858 October: Commonwealth vs Henry Pruden :**

### **Scope and Content**

The court charges Henry Pruden, a white man, with "feloniously cutting, mutilating and destroying the testicles" of Thad (or Thaddeus) a man Pruden enslaved. The jury finds Henry Pruden guilty and sentences him to four months in the county jail and \$500 fine. Henry Pruden receives a pardon, 1858 October 28, from Governor Henry A. Wise, which required the fine to be paid by Pruden but dismissed the jail time in part due to Pruden's age and feeble health. The case proves the true inhumanity of enslavement, and the existent to which enslavers and the law viewed enslaved people as property void of personhood. See Governor Henry A. Wise Executive Papers, 1856-1859 for more information.

## **1859 May: Commonwealth vs Thomas J Allen, etc. :**

### **Scope and Content**

The court charges John B. Loveland, Caleb C. Loveland, Benjamin Loveland, and James Scott, white crew members of the New Jersey vessel "Francis French" with attempting to carry away, harbor, and aid the escape of Anthony, an enslaved man after an Inspector of Vessels search discovered Anthony aboard the ship. The jury enters a verdict of nolle prosequi (This is after William H. Thompson, a free Black crew member admits to the charge. See Uncommonwealth blog "Soon the grievance will cease to exist": chief of vessels reports, for additional information on this case).

## **1860 March: Commonwealth vs Riddick Butler :**

### **Scope and Content**

Riddick Butler, a white man, accused with the act that "by speaking, did maintain that owners have not right of property in their slaves." While the court deemed the charge as "not a true bill" (made on false information), the unlawfulness of such a statement proves the existent to which Virginia and other southern states went to suppress abolitionist sentiments leading up to the Civil War.