

Rockingham County To wit:

To the Sheriff of said County

Whereas I recd. a Negro Slave the property of John H. Pence of

said County, was this day committed to Jail, by my warrant,

It appearing to me, that the felonious offence of which he stands

charged, <sup>(to wit) for breaking open the Sunday house of Abiam Smith's dwelling & taking thereout, carrying away &</sup> but to be examined into by the County Court, Therefore

on behalf of the Commonwealth, I require you, that you Summon

at least Eight Justices of the Justices of your said County to meet

at the Courthouse on <sup>Saturday</sup> the 12<sup>th</sup> day of May (Inst) and

then and there to hold a court for the examination of the fact

with which the said Negro Slave I recd stands charged, and for

such other purposes as is by law required and directed: and that

you have then and there this warrant

Given under my hand & Seal this 7<sup>th</sup> day of  
May 1825

Jos: Cravens

1825  
County of Rockingham

Common wealth  
vs

Sec. Warrant  
to Convene the Court

1821. May 12. Called  
Court adjourned to meet  
next Friday, June 25th  
trial, Complaint of Lacey  
and burnt in the hand  
and whipped &c. -

The Commonwealth of Virginia to the Sheriff of Rockingham County, Greeting:

YOU are hereby commanded to summon *Abraham Smith Hugh  
Duffy Benjamin Miller Amos, (Parrot's slave) and  
Heester Johnsons a free woman of Colour.*

to appear  
before the Justices of our Court of Rockingham County at the Court-House on the  
*12<sup>th</sup>* day of *this Month* ~~Court next~~ to testify and the  
truth to say in behalf of *the Commonwealth*

in a certain matter of controversy in  
our said Court, depending and undetermined, between *said Commonwealth  
and said Defendant*

And this *they* shall in no wise omit under the penalty of £100 each

And have then there this writ. Witness HENRY J. GANGILL Clerk of our said Court  
at the Court-House the *8<sup>th</sup>* day of *May* 1821  
and in the *45<sup>th</sup>* year of the Commonwealth.

*H. J. Gangill*

presented Joseph Thornton Ad  
for of Nathaniel M. A.

Count  
"red & Spa

The Commonwealth } On a charge of Larceny  
against

See a negro slave the property of John H. Paine

after the accused had been acquitted by the judgment of the court to have been guilty of the Larceny as charged against him and after by a judgment of the same court the convict had been turned in the hands & been further punished by the infliction of fifteen lashes on his back <sup>last</sup> he was moved by the attorney prosecuting on behalf of the Commonwealth that the said John H. Paine should be bound in a recognizance for the good behavior of the said Negro boy slave &c. Whereupon the Council for <sup>the</sup> accused resisted said motion on the ground that the Court had no authority to proceed in this kind of ex parte manner without affording to the party an opportunity of preparing to ~~the~~ meet this application

And on the further ground that the course  
of proceeding should be not only adjudicated  
by entirely unauthorised by the laws of  
Virginia. The Court however being of opinion  
that they were legally authorised, on the evidence  
which was given of the Lasceny, causing the  
said tryal for Lasceny, and without hearing any  
further evidence, <sup>no other evidence being offered by either party</sup> to require such surety for  
good behaviour, and also accordingly making  
and order that the said John H Pence  
<sup>or such other person as should be willing to bear his surety</sup>  
should be bound in a recognizance in  
the sum of two hundred dollars  
for the good behaviour of the said negro  
boy slave Aid. & that the said Deca should  
stand committed until such recog-  
nizance should be entered into to  
which opinion & judgment of the Court the  
Council for the Court on behalf of said  
Court ~~the Council for said~~ as well as  
the said John H Pence accepts and prays

that there his exceptions may be signed  
said and enrolled which is accordingly  
done

Joseph Baxter (Seal)

George Dove - (Seal)

Giles Tuley (Seal)  
Henry Bushnell (Seal)

Count  
Sea & Estuary