

Virginia.

Pleas before the Justices of Greenbrier County Court, at the Court house thereof on Monday the 27th day of May, 1861.

Be it remembered that heretofore to wit: that on the 14th day of May 1861, a certificate was filed with the clerk of this court, in the words & figures following, to wit:

"Greenbrier county, to wit:

The June 6, 1861

To the clerk of the County Court of said County - I, M. Arbuckle a Justice of said County, do hereby certify, that I have this day committed Reuben, a slave, the property of John Withrow, to the jail of this county, that he may be tried before the County Court of said county, for a Felony by him committed, in this: that he did, on the _____ day of _____ plot and conspire to rebel and make insurrection in said County.

Given under my hand this 14th day of May, 1861.

M. Arbuckle J. P.

And now at this day, to wit: at a Court continued and held for the County aforesaid, at the Court house thereof on the day and year first herein mentioned to wit, on the 27th day of May 1861.

Commonwealth

against

Reuben (a slave, the property of Jno. Withrow) } On a certificate } of Commitment for } plotting & conspiring to rebel & make in- } surrection.

The prisoner was this day led to the bar in custody of the Jailor of this Court, and being arraigned pleaded not guilty; whereupon the Court having heard the testimony, is of opinion that said slave Reuben is guilty of the Felony for which he stands committed, Therefore it is considered by the Court, that he be hanged

by the neck until he be dead, and that execution of this judgment be made and done upon him the said slave Reuben, by the Sheriff of Greenbrier County, on Friday, the 28th day of June next, between the hours of ten in the forenoon and two in the afternoon of the same day, and that he be publicly executed. The Court doth certify, said slave to be of the value of three hundred dollars.

And it is ordered that the testimony ^{in writing} taken on the trial be certified.

Memo: Upon the rendering of its judgment by the Court, the counsel for the prisoner moved the Court for a new trial upon the ground:

- 1.st That the judgment of the Court is against the law -
- 2.^d The judgment of the Court is against the law &
- 3.^d The judgment of the Court is against the law and evidence - which motion was overruled by the Court.

The evidence taken down in writing on the trial, is in the words following, to wit:

" Commonwealth

(vs

Reuben (Slave of John Withrow)

Jordan (a slave) being sworn, saith - I was talking to Reuben about three weeks ago yesterday, and I was telling him I was going with master Cyrus Cary; he said, after the Cavalry started there would be a row kicked up nearer than Harpers Ferry, and said with what arms they had and with what fire they could throw out they could take Lewisburg - mentioned Campbell had two shot guns and Bill had two Pistols, and Mr Arbuckle's John & Mr Hader's Peter, but didn't say whether they were engaged in - I commenced the conversation by saying Master Cyrus Cary, was going to Harpers Ferry, and he asked me what he was going there



for; I told him he was going there to be in a battle or be ready for one, and he said that if there was a battle at Harpers Ferry, there would be a bigger one nearer home -

Loops examined.

I never told any white person about it except Master Robert Arbuckle, Mr Beard & Capt Stader, until I was questioned; and the conversation was on Sunday, near the Methodist Church, just after preaching - I was at the Camp-meeting last fall on the Mountain; was not drunk, nor Reuben did not try to get me away - I had a fuss with Henry Curry, but I don't think Reuben was near -

John Withrow. The morning after Reuben was arrested I went to my stable and found the door unlocked - Reuben usually kept the door locked - I went in, found the door between my stable and my carriage house forced open and found a part of the stable floor torn up - The back door of the stable was forced.

James Withrow - The night Reuben was arrested a search was made at my house and we found four Pistols in the room where Campbell & his wife stayed, one fire shooter and three single barrels and a good deal of shot, powder, Bullets & a box of caps - all the barrels of the Pistols were loaded.

John Toothman - Reuben said to some black hands in the corn field as he passed me, "I will be damned if any white man shall be master over me" - I did not hear any of the conversation except that much - I am positive as to the language - it was this month that the conversation took place - Mr Estill & myself were dropping corn - I told it to Mr Mathews, Mr Estill & I think to some person else -



James H. Arbuckle - I raised Jordan and could rely upon him as a witness - he drinks some times, but has'nt drunk any for some time - he has an affection of the throat -

Matthew Arbuckle - I am acquainted with Jordan and have known him from a child - would have no hesitancy in the world in relying upon him as a witness -

Jain (a slave of Saml Price Esq) sworn for the defence - I was'nt with them (the hands in the corn field) all the time - did'nt hear Reuben say any thing about a white man being his master - I was dropping ashes & was'nt with them all the time - I was right after Mr Toothman & not with the covers -

Alfred (a slave of Mrs Estline) sworn - I was working with Reuben in the corn field - I did'nt hear the remark made about any white man sulking over or being his master - I never heard Reuben say any thing about destroying Lewisburg when the Cavalry left, or any thing about having arms or any thing like that - I was plowing & not with the covers -

Dr Tho Greigh - So far as I have ever heard of Jordan I consider him a boy of truth -

Caesar (a slave of Arch^d Edgar) sworn for the defence - I don't know that Jordan & Reuben ever had any quarrel - I did hear they had a quarrel twelve or thirteen years ago - Reuben advised me not to associate with him - I never told this to Jordan - they never quarreled in my presence -

A true transcript of the record

Teste.

Joel M. Pherson. cctd

Record of the County
Ct. of Greenbrier condemning
Reuben a slave to be
hung for plotting & conspiring
to rebel & make insurrection

June 10 1861
filed