

## Transcription

### **"I will be damned if any white man shall be master over me"**

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

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 committal for plotting & conspiring to rebel & make an insurrection.

The prisoner was this day led to the bar in custody of the Jailer 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 publickly executed. The court doth certify said slave to be of the  
value of three hundred dollars.

And it is ordered that the testimony, taken in writing in the trial be certified &c.

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:



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1st. That the judgment of the court is against the law—

2d. The judgment of the court is against the law &

3. 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 Creigh, 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 Rader'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—

Cross examined

I never told any white person about it except Master Robert Arbuckle, Mr Beard & Capt Rader, 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 five 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.



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John Toothman—Reuben said to some black hands in the cornfield as he passed me, "I will be damned if any white man shall be master over me"—I didn't 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 drank 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 his as a witness—

Jim (a slave of Saml Price Esqr) sworn for the defence—I was'nt with them (the hands in the cornfield) all the time—didn't 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 coverers—

Alfred (a slave of Mrs Erskine) sworn—I was working with Reuben in the cornfield—I didn't hear the remark made about any white man ruling over or being his master—I never heard Reuben say any thing about destroying Lewisburg when the Cavalry left, or anything about having arms or any thing like that—I was plowing & not with the coverers—

Dr Thos Creigh—So far as I have ever heard of Jordan I consider him a boy of truth

Caesar (a slave of Archd. Edgar) sworn for the defence—I dont 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 MCPHERSON Clk.

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**Citation:** Transcription of trial record in the case of the *Commonwealth v. Reuben*, Greenbrier County, May 27, 1861, Executive Papers of Governor John Letcher, Pardons, June 1861, Acc. 36787, State Government Records Collection, Record Group 3, Library of Virginia.



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