

Hiram Bartee, Indictment for Abolitionism, Scott County, 1859 (page 1 of 3)

BROWN'S TRAVELS IN VIRGINIA.—It has been ascertained that Jno. Brown passed through Danville, Va., and that section of country in 1856, selling trussers, under the name of McLane. The Abingdon Virginian, alluding to suspicious characters, says :

We learn from a friend at Estillville, in Scott county, that considerable excitement prevails there, in consequence of a man by the name of Hiram Bartee talking abolitionism with slaves. He was arrested on Sunday last, examined and committed to jail for incendiary talk with one of H. S. Kane's negroes, on Saturday night.—The evidence was, that he said he was an abolitionist, and would fight for the negroes as long as he had a drop of blood in his veins, and that negroes had as much right to their freedom as white people. Two reliable gentlemen heard him so express himself to the negro. Intense excitement was prevailing at the time our friend wrote on Monday, and it may be supposed that Mr. Bartee is in rather a warm place.

Citation: "Brown's Travels in Virginia," Norfolk Day Book, Dec. 6, 1859 (p.2)

Hiram Bartee, Indictment for Abolitionism, Scott County, 1859 (page 2 of 3)

640

1859 Dec. 13. Court on the Complaint is some responsible person for him execute a bond in the penalty of \$250.00; Whereupon Samuel McClelland and Abraham B. McCormick entered into and acknowledged a bond in the penalty of \$250.00 with condition according to law.

On the Motion of Freeman Denny one of the Jurors of James W. Ramsey Administrator of said Ramsey dec. who alleges that he is unwilling to remain longer bound in such Security; it is ordered that the said James W. Ramsey be summoned to appear here on the first day of the next term to show cause if any he can why he shall not be required to execute a new bond.

Hiram Bartee who stands charged with having on the 26th day of November 1859, at the county of Scott unlawfully and feloniously advised Abraham a slave the property of Henry J. Ware to rebel and make insurrection and also of having unlawfully maintained by speaking that said slave and all other slaves had a right to be free as a white man and that owners have not a right of property in their slaves was brought into Court, in the custody of the jailor of this county, and the Court having fully heard the evidence as well for as against him in his presence, and having heard his defence, proceeded to consider whether the said Hiram Bartee for the offense aforesaid ought to be discharged from further prosecution or must be tried in the circuit Court of this county, and of opinion that the said Hiram Bartee for the offense aforesaid ought not to be tried in the circuit Court nor discharged but ought to be ~~and~~ tried here for a misdemeanor, it is therefore ordered that the said Hiram Bartee be and is hereby required to enter into a recognizance in the penalty of \$500.00, with one or more securities in the sum of \$500.00 conditioned for his said Bartee's appearance before this Justice of this Court on the first day of the next March term to answer an indictment to be preferred against him for a misdemeanor; Whereupon the said Hiram Bartee & Benjamin J. Fugate here in Court acknowledged themselves to owe and be indebted to the Commonwealth of Virginia in the sum of \$500.00 each of, their respective goods and chattels, lands and tenements to be made and and levied and to the use of the said Commonwealth under; Yet upon this condition that if the said Hiram Bartee shall appear before the Justice of this Court on the first day of the next March term, and answer an indictment to be preferred against him for a misdemeanor (for unlawfully maintaining that slaves have a right to be free &c) and shall not depart thence without the leave of the said Court, then this recognizance to be null and

Citation: Scott County Court Minute Book 12 (1855-1860), 640.

Hiram Bartee, Indictment for Abolitionism, Scott County, 1859 (page 3 of 3)

1859, Dec. 13. *read, else to remain in full force and virtue.* 641

665
1860 Nov. 13
An Indictment against Francis McClure for an assault, a true bill.
An Indictment against Jonathan M. Monton for obstructing the public Road, a true bill.
An Indictment against Hiram Bartee, for maintaining that owners have no right of property in their Slaves, a true bill.
And then the said Grand jury having nothing further to present were discharged.

Minute Book 13, Aug. 15, 1860

is the papers filed.
Commonwealth vs Hiram Bartee } On an Indictment
This day came again the parties by their attorneys; whereupon the defendant by his attorney moved the court to quash the indictment in this cause upon the ground that the said Indictment is defective. Whereupon the court having fully heard the parties and maturely considered said motion doth order that the said Indictment be and is hereby quashed.

Citation: Scott County Court Minute Book 12 (1855-1860), 640-641, 665 and
Scott County Court Minute Book 13 (1860-1866), 30.