

Hiram Bartee, Indictment for Abolitionism, Scott County, 1859 **Transcription (page 1 of 2)**

[Norfolk *Day Book*, December 6, 1859]

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)

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Decr. 13, 1859

Hiram Bartee who stands charged with having on the 26th day of November 1859, at the county of Scott unlawfully and feloniously assisted Abraham a slave the property of Henry S. Kane to rebel and make insurrection and also of having unlawfully maintained by speaking that said slave and all other slaves have 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 jailer of this county, and the court having fully heard the evidence as well for and against him in his presence, and having heard his defense, 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, are 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 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 a like sum of \$500.00 conditioned for his said Bartee's appearance before this justices of this court on the first day of the next March term to answer an Indictment to be prepared against him for a Misdemeanor; Whereupon the said Hiram Bartee & Benjamin S. 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 any levied and to the use of the said Commonwealth rendered; Yet upon this condition that of the said Hiram Bartee shall appear before the Justices of this court on the first day of the next March term, and answer an Indictment to be proffered against him for a Misdemeanor for unlawfully maintaining that slaves have a right to be free go and shall not depart thence without the leave of the said court, then this recognizance to be null and void, else to remain in full force and virtue.

Mar. 13, 1860

An indictment against Hiram Bartee, for maintaining that owners have not right of property in their slaves, a true bill.

[Aug. 15, 1860]

Commonwealth ptf vs. Hiram Bartee Deft } On an indictment

This day came again the parties by their attornies; whereupon the defendant by his attorney moved the court to quash the indictment in this cause upon the grounds that this said indictment is defective. Whereupon the court having fully heard the parties and maturely considered said motion doth aver 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.*