

FIRST MURDER CASE

Tried in Rockingham County in
Summer of 1778.

CRIMINAL WAS NEGRO SLAVE

Was Hung, His Body Burned, and
His Head Stuck on a Pole at
Peal's Cross Roads.

A few days ago some reference was made in these columns to the first terms of the first county court of Rockingham. A perusal of the contents of the old minute book of the court, from which the extracts referred to in that article were taken, revealed many things of interest, and some of the orders appearing therein are extremely valuable as giving an insight into the thoughts and feelings which animated and moved our ancestors. The sentiment of a community is usually effected by its courts, and this is probably more especially true, when, as in those days, the Court was composed of men whose principal qualifications was not so much their knowledge of legal lore as their innate sense of justice and right, and their good, hard common sense. They came from among the people and undoubtedly represented the sentiments of the people who constituted the population of the county at that time—our own immediate ancestors.

In this day when so much is said about lynchings and race troubles it is interesting to go back a century and see how they dealt with such questions. It seems that in those days the Court had two objects in view in meeting out punishment to the guilty—the punishment of the crime itself, and at the same time the prevention of its repetition by filling the breasts of all who might be tempted to commit a like offense, with a horror for the punishment that would overtake them.

Imagine a superstitious negro passing along a road and seeing the head of a negro fastened on a pole. No one acquainted with the nature of the old-time darkey can fail to understand that such a sight would thrill him with abject horror, and that impressions made by it would haunt him to his dying day. The Courts of those days understood this and seemed to utilize it as a deterrent to crime. It is probable that even the matter-of-fact citizen of today would behold such a gruesome spectacle with a shiver.

The first legal execution ever performed in Rockingham county was attended with these rather shocking details. It took place on the 18th day of June, 1778, at the county court house, which was then the residence of Daniel Smith, and on what is to this day known as the Smith farm, several miles below Harrisonburg on the Valley Pike. The offender was Will, a slave owned by George Keezel, who was an early ancestor of the present State Senator from this county. Silas Hart was the Sheriff, who, after the trial and conviction of the negro, hanged him under the order of the court, severed his head from his body, burned the body, and placed the head on a pole at the intersection of the Rockingham Turnpike and the Keezletown road, to this day known as the Cross Roads.

There is no record of the exact date of the trial, but it took place some time between the 26th day of May, 1778, and the 18th of June. The May term of the court adjourned the 26th of May. The trial seems to have been the only business before a special term of the court of Oyer and Terminer. The clerk, Peter Honge, who had been captain of a military company in the Continental Army, failed to enter the date of the meeting or the rising of the court.

The justices who sat at the trial were Daniel Smith, John Grattan, John Thomas, Henry Ewing and William McDowell. The record does not say whether there were any dissenting opinions, so it is presumed that their decision was unanimous.

The account of the trial in the verbiage of the courts of that time is as follows:

"At a court of Oyer and Terminer, held in Rockingham county on the tryal of Will, a negro man slave belonging to George Keezel, accused of feloniously murdering Hans Cloverfield, miller, of the said parish and county—

"Present: Daniel Smith, John Grattan, John Thomas, Henry Ewing, William McDowell.

"The said slave Will, being brought to the Bar, and arraigned, pleaded he was not guilty, whereupon several witnesses being examined touching the facts wherewith he stands charged, it appeared to the Court that the said Will gave a blow with a hoghead stave which fractured the skull of the said Hans Cloverfield, and of which he died that night, and therefore do judge him guilty of the murder with which he is charged; and do accordingly order the said criminal to be hung by the neck until dead on Thursday, the 18th instant, at the Court House of this county and that his head be severed from his body and stuck upon a pole at the Cross Roads leading from this to Felix Gilbert's and his body burned; and in the meantime that the said criminal be kept in irons well secured, and guard of four men to keep continual watch over him until he is executed; and that the Sheriff do put the above sentence into execution. And the Court do value the said slave, Will, at two hundred and twenty-five pounds, which is ordered to be certified to the next session of the Assembly; and the Court did then rise.

"(Signed) Daniel Smith."

The John Grattan mentioned in the above order as one of the justices was the great grandfather of our present county Judge, Geo. G. Grattan.

There are numerous other orders in the old minute books revealing the character of the people who lived here in those days which are worthy of note and may be mentioned in future articles.