

A Guide to the Isle of Wight County (Va.) Criminal Records, 1774-1937

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A Collection in the Library of Virginia
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2008

Author: Sam Walters

History

Processed by: Library of Virginia staff

Title Statement

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Author: Sam Walters

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Profile Description

Creation: Machine-readable finding aid derived from being created directly into EAD, created by Sam Walters, 21 April 2008

Language Usage: Description is in English

Revision Description

2013-11-21 Converted to schema conforming EAD by dtd2schema.vh.xsl.

Descriptive Summary

Language

English

Collector

Isle of Wight County (Va.) Circuit Court

Extent

11.25 cu. ft. 15 boxes digital images

Location

Library of Virginia

Repository

The Library of Virginia

Administrative Information

Access Restrictions

Identified Free Persons in Want of Registration, and Commonwealth Causes, 1774-1866 involving enslaved and free Black and Multiracial individuals are digitized and available through [Virginia Untold: The African American Narrative Digital Collection](#) on the Library of Virginia website. Please use digital images.

Use Restrictions

There are no restrictions.

Acquisition Information

These records came to the Library of Virginia in a transfer of court papers from Isle of Wight County in an undated accession.

Processing Information

Isle of Wight County Commonwealth Causes were initially processed around 2008. From 2021-2022, M. Mason removed cases involving free and enslaved Black and Multiracial individuals from the larger set. These cases were then indexed and digitized for the purposes of inclusion in the Virginia Untold: the African American Narrative Digital Collection.

Encoded 2008 by S. Walters; Updated 2022 by M. Mason; Updated May 2026, by M. Mason

Preferred Citation

Isle of Wight County (Va.) Criminal Records, 1774-1937 [Include series information]. Local government records collection, Isle of Wight County Court Records. The Library of Virginia, Richmond, Va. 23219.

Adjunct Descriptive Data

Related Material

See also: [Isle of Wight County \(Va.\) Free and Enslaved Records](#)

See also: [Isle of Wight County \(Va.\) Coroners' Inquisitions](#)

Additional court records for Isle of Wight County can be found on microfilm at the Library of Virginia. Consult ["A Guide to Virginia County and City Records on Microfilm."](#)

Records related to free and enslaved people of Isle of Wight County and other localities are available on Virginia Untold: The African American Narrative Digital Collection at the Library of Virginia. Search the [Virginia Untold: The African American Narrative Digital Collection](#) Virginia Untold: The African American Narrative Digital Collection available at Virginia Memory.

Location of Originals

Original free person in want of registration record is housed at the Isle of Wight County Circuit Court. Contact the clerk of the Circuit Court for access.

Historical Information

Context for Records Type:

Free People in Want of Registration

Consists of lists of free Black and multiracial people confined to jail because they were without a free registration document or certificate proving their free status. In some localities, city sergeants or county sheriffs created reports for the court of individuals confined to jail. These documents serve as a certification record of who was in jail. Prisoners were required to pay the jail fees accrued during their time in jail. If they could not pay, they were hired out to cover the cost of their expenses. If this was the case, the document may indicate if they were hired out along with a totaling of expenses. For further research, search the minute books or court order books for the locality of interest.

Commonwealth Causes

Commonwealth causes are criminal court cases filed by the state government that consist primarily of warrants, summons, subpoenas, indictments, recognizances, and verdicts handed down by juries and other legal authorities in order to prosecute individuals who violated the penal code.

The commonwealth causes reveal an inconsistency in forms of conviction and punishment for white versus Black and multiracial individuals. Throughout the early nineteenth century, Virginia legislators revised the laws in ways that reduced the legal status of free Black and multiracial people to that of enslaved, thereby creating a legal system based on race. White Virginians and legislators feared insurrection and passed laws

restricting the number of Black and multiracial people allowed to gather in groups. Enslavers could be fined for permitting their enslaved people to hire themselves out for work and enslaved people were jailed on these occasions. While public whipping originated as a form of punishment for all those convicted, in Virginia, it was retained for those who were Black, free or enslaved, and officially outlawed as a punishment for white criminals in 1848. Often, Black individuals served much longer penitentiary sentences while the cases of white men, who had committed the same or similar crimes, were dismissed.

Locality History: Isle of Wight County was named probably for the Isle of Wight off the south coast of England. It was first known as Warrosquyoake for an Indian tribe living in the area whose name means "swamp in a depression of land," and was one of the original shires, or counties, first enumerated in 1634. The present name was given in 1637. Parts of Nansemond County were added in 1769 and 1772.

Lost Locality Note: Most pre-Revolutionary War-era loose records are missing. Volumes that record deeds, court orders, and wills exist. During the Civil War, the county clerk had Randall Boothe, a Black man he enslaved, transport the court records to Greensville and Brunswick counties for safekeeping. After the war ended, Boothe returned the records to Isle of Wight and served as courthouse caretaker.

Scope and Content

Materials in the Library of Virginia's collections contain historical terms, phrases, and images that are offensive to modern readers. These include demeaning and dehumanizing references to race, ethnicity, and nationality; enslaved or free status; physical and mental ability; religion; sex; and sexual orientation and gender identity.

Isle of Wight County (Va.) Criminal Records, 1774-1937, consist of Free People in Want of Registration, 1841; Commonwealth causes, 1779-1867, pertaining to free and enslaved persons; and Commonwealth causes, 1774-1937, arranged chronologically.

Free People in Want of Registration, 1841, consists of an affidavit noting William Bagwell being held as a "runaway" until proved he was a free man. Court ordered Bagwell to be hired out to pay for jail fees.

Commonwealth causes, 1779-1867, involving free and enslaved Black and Multiracial individuals consists of criminal cases where the defendants themselves are either free or enslaved Black individuals. These cases also consist of white defendants who are charged with crimes involving matters of chattel slavery; violence against a free or enslaved Black persons; or other violations of laws involving the policing of Black communities.

Causes commonly found against free Black and enslaved people might include breaking and entering, stealing, assault, murder, arson, and aiding enslaved people to self-emancipate. Formerly enslaved men and women could also be tried for remaining in the commonwealth more than one year following emancipation. There are also cases against enslavers who permitted a gathering of enslaved people on their property.

Commonwealth causes, 1774-1937, pertaining to white and non-Black individuals as well as all post-1866 commonwealth causes are arranged chronologically but are otherwise unprocessed.

Arrangement

This collection is arranged

- Series I: Free People in Want of Registration, 1841
- Series II: commonwealth causes, 1779-1867, pertaining to free and enslaved persons, and are arranged chronologically.
- Series III: Commonwealth causes, 1774-1937, arranged chronologically.

Contents List

Series I: Free People in Want of Registration, 1841

Extent

Extent: Digital images

Physical Location Library of Virginia

Barcode number 1186868: Free and Enslaved Records, 1799-1861

Series II: Commonwealth Causes involving enslaved and free Black individuals, 1779-1867

Extent

Extent: 5 boxes; Digital images [use digital images]

Physical Location Library of Virginia

Barcode number 0007806061: Commonwealth Causes, 1779-1819

Barcode number 0007806062: Commonwealth Causes, 1820-1825

Barcode number 0007806063: Commonwealth Causes, 1833-1838

Barcode number 0007806065: Commonwealth Causes, 1839-1855

Barcode number 0007806066: Commonwealth Causes, 1856-1867

Series III: Commonwealth Causes, 1774-1937

Extent

9 boxes

Physical Location Library of Virginia

Barcode number 1161429: Commonwealth Causes Ended, 1774-1819

Barcode number 1161430: Commonwealth Causes Ended, 1820-1828

Barcode number 1161431: Commonwealth Causes Ended, 1829-1835

Barcode number 1161432: Commonwealth Causes Ended, 1836-1848

Barcode number 1161433: Commonwealth Causes Ended, 1849-1866

Barcode number 1161434: Commonwealth Causes Ended, 1866-1879

Barcode number 1161435: Commonwealth Causes Ended, 1880-1890

Barcode number 1161436: Commonwealth Causes Ended, 1891-1905

Barcode number 1161437: Commonwealth Causes Ended, 1906-1937