

Commonwealth agst Nelson

George W. Hornum a Witness on behalf of the Commonwealth

deposeth and saith that he left Harrisonburg on Saturday Evening the 14th of August 1819 about 7 or Eight O'clock and went to the Camp Meeting where he arrived about 10 O'clock and hitched his horse to the fence at the Camp Ground which stands between the Dwelling house and the Spring and went to preaching and returned ^{in about 15 minutes} to where he left his horse and his horse was gone he looked round about the Camp but could not find his horse on Monday following he was riding the road from Harrisonburg to Newmarket in custody of Mr. Sylbert & Mr. Shepp tied about 3 or 4 O'clock he Met Nelson, riding his horse about five miles below Harrisonburg he asked Nelson how he came to take his horse he said he intended to ride him to the first Corn field and feed him and then turn him out he states his horses tail was cut so as to disfigure it his Saddle was also cut and the reins of his Bridle

Lundersfield Johnson a Witness also for the Commonwealth deposeth and saith that he went with George W. Hornum to the Camp Meeting that they both left their horses near the same place and that they both went to the preaching and returned in about 10 or 15 Minutes and found that both his and Mr. Hornums horses were gone and upon search could not be found he says he did not see the horses again until they saw them at Mr. Memahows Stables

Francis Sylbert another Witness for the Commonwealth deposeth and saith that on Sunday Morning about sunrise he saw a Negro Man riding through Newmarket who

he suspected to be a runaway he thought he knew the horse he
was riding, ^{although the horse's tail was cut off} after he had passed he determined to follow him and
walked as far as Mr Stupps where he got a horse and got Mr
Stupps to go with him and take the Negro when they overtook
him he asked him where he was going the Negro said he was
going to Moodsstock he asked him who he belonged to and whose
horse that was he was riding the Negro said he belonged to Mr
Murray and he was riding Mr Murays horse, a good deal
of conversation passed in which Mr Eply was mentioned the
Negro said he knew Mr Eply. he took the Negro to Mr
Pennybakers where Mr Eply was as soon as Mr Eply saw
the Negro he says why Nelson is that you, yes ~~Joseph~~ ^{Joseph} this
is me Witness asked Mr Eply if he knew the boy he said
he had known him for a ~~number of~~ ^{winter} years Witness asked
Mr Eply if he belonged to Mr Murray he said he did not
but he belonged to Samuel Miller which the Negro denied
and said Mr Miller had sold him about twelve months since
after some conversation the Negro acknowledged he did belong
to Mr Miller Witness then took out of his pocket a pistol
which he discovered and found it was loaded, and told
the Negro he had been lying, that he had better tell the truth
that it would probably be better for him, Nelson then said
he had taken the horse from the Camp Meeting that he
~~had intended to ride him until the first of June which was what had been~~
did not know whose horse he was, but he would give him
five hundred Dollars if he had it to let him take the horse
back to where he got him, Nelson had Saddle Bags with
him Witness examined the Saddle Bags and there found a quantity
of clothing a pair of Bridle Reins ^{which had been cut from the bridle on the horse} & Martingale ^{collar} he asked him
what ~~what~~ he wanted with so much clothing he said he took

them with him for a change. He took Nelson and brought him on to
Harrisonburg when on the road he met Mr. Homan who claimed the horse
as soon as he met us, which was the same horse he was taken upon

Cooper a Negro Slave who was also in jail on suspicion of
felony being introduced as a witness on behalf of the prisoner
who being charged by the Court & duly sworn Depoeth and said
that Nelson sent him word by Dick on Friday that he must
meet him ~~on Sunday Night~~ at Camp meeting he accordingly
went to Camp meeting on ~~Sunday~~ Saturday Night when they
met Nelson asked him if he was ready and said now was as
good a time to put off as any and said that he had better
take a horse which he did when they were on their way Nelson
said they would ride the horses till they would come to a
corn field below Newmarket where they would feed their horses
and tie up the bridles and turn them back

George W. Homan

Lundwell Johnson

Francis T. Tipton

Commonwealth
" Nelson } Evidence &c

Mocking have early to cut
to the garden of said early whereas nelson a negro man
I have the property of said will in that been brought before
Henry Wells a justice of the peace charged with felonious
stealing a ^{dark} horse the property of George W. Hornum
from the camp meeting on Saturday night between twelve
or one o'clock & hereby require you the said justice to
return the body of nelson in to your court & custody
and him safely keep till he be discharged by due course
of Law given under my hand ^{of seal} this 17 day of anyth

1819

Henry Wells J.

Committee } Warrant of
" } Commitment
Held on }

Rockingham County to wit
to the Sheriff of said County

Whereas Nelson a negroman Slave the property of
Samuel Miller of ^{Augusta} this County was this day committed
to the jail of this County by my warrant it appearing
to me the Felonious offence where with he stands charged
^{to wit} ~~feloniously~~ taking and carrying away a dark bay horse the property of Surgeon H. H. Hemen
ought to be examined into by the County Court
therefore on behalf of the Commonwealth I require
that you summon at least Eight of the justices
of your said County to meet at the Court house on
the 23rd day of ^{next} ~~aug~~ and then and there hold a Court
of oyer & terminer for the Examination of the fact with
which the said Nelson stands charged ~~with~~ and for such
other purposes concerning the premises as is of Law
required & directed and that you bear true & then
this warrant given under my hand & seal this
17th day of ~~aug~~ 1819

Henry Welch

Commonwealth

vs

Nelson

} Warrant



Rockingham County to wit,

Memorandum, that upon this 17th of Aug^r in the
Year of 1819 George W. Roman Francis Libert
Samuel Kepp & Lundfield Johnson came
before me Henry Welch a justice of the
peace for the County aforesaid, and each of
them of his proper person acknowledged him-
self indebted to James Preston Esq^r Governor
or Chief Magistrate of the Commonwealth of
Virginia, and his Successors in the sum of One
thousand Dollars, to be levied ~~thereof~~, of
each of their goods, and chattels, land, and ~~inven-~~
ts, respectively, to the use of the said Commonwea-
lth: upon condition, that if each of them do
personally appear before the Commonwealth's
justices of the peace for the said County of

Rockingham on the 23 Day of Aug^r, ¹⁸¹⁹, at a court
by them to be held, at the Court-house of the
said County, for the examination of Nelson and
Cooper Negro men slaves, the property of said
Nelson and Wilson clerks. — — — and do there

and there, on behalf of the said Commonwealth,
give such evidence as they know ~~to~~ ^{to} apply the
said Nelson & Cooper concerning the matters
wherein they are charged, and that neither
of you do depart without leave of the said
Court, then this recognizance to void, else
to remain in full force. — George W. Roman

acknowledged before me
one of the Commonwealth's
justices of the peace in and
for the County aforesaid.
Henry Welch

For Peter A. Esq^r
Samuel Kepp Esq^r
Lundfield Johnson Esq^r

Proctor's can't do it

Constitution

Nelson & Papers

Call^d Court held
the 23^d August 1819.

Prisoner condemned to be
hung the 22nd October
1819. Copy Record sent
to printer the 31st
August 1819 —