

Corneth in Billy Hopkins - (for stabbing)

Isaac Greenwood (of the Negroes) said that on the night of the 5. June after dark, he discovered the prisoner, standing at the corner of the house, where Mr. J. Clarke lives, that the Cato Bolen, pass by, and as he ~~observed~~ observed that the said Cato said he would go to meeting, that he was unwell, - that the prisoner ^{was} observed that he would make him ~~unwell~~ ^{unwell} that Cato stopped, and the prisoner went towards Cato and the witness saw the prisoner draw (as he thought) draw a spear ~~from~~ or sword from a cairn, and made a stab at the s^r. Cato, - that Cato asked the prisoner what he ~~had~~ in the s^r. prisoner had in his hand, to which he made no reply, - Bolen said he had struck him with something, the witness thinks he must have been struck in the back, - upon which Cato. walked on round the prison and picked up a stone, and struck the said Benjamin, who fell to the ground, - that when he got up he ran towards Mr. Herron, - that the said Cato followed ^{with a sword} ~~and after a little while~~ who observed that he would know him again - and after a little while he heard Cato cry out, that he was stabbed, and when the witness, came to where Cato was lying, ~~that~~ he appeared to ~~be~~ have received two wounds -

- and appears to be much hurt - discharged much blood - upon being asked, the witness said that he saw but ~~one~~ ^{one} stab, that after Calo had struck Ben, that Ben staggered some time before he fell, ~~but~~ the witness did not see Ben & Calo engaged, but the ~~other~~ ^{other} - the said Calo, was laying just about Mr. P. Effinger's Smokehouse. - that the S. Calo did not make any complaint of being hurt &c.

- James Bopell (free Negro)
said he saw the prisoner that evening, and also the S. Calo, and heard Calo say that he was unwell and would go to Meeting, that the prisoner said he would make him more unwell, - that he seen nothing of the fighting, - but that he saw the prisoner as he was getting up (after he had been ~~knocked~~ ^{knocked} down), and that he had in his hand a small stick or cane - the witness said that Calo, returned after the prisoner got up, and ~~summoned~~ ^{followed} Ben the prisoner, declaring that he would kill him &c.

- Doctor Peckey Harrison
saith that he examined the wounds of the said Calo, about 2 o'clock in the morning after he had seen them, that he appeared to have had 2 distinct stabs, one in the back and one just below the left breast, - he thinks the one in the back did not injure him, but that the one in the breast must have passed through his lungs. - ~~from~~ ^{from} the discharge of blood, - that the instrument ~~with~~ ^{with} which

the wounds had been made, must have been very small.

- Calo Bolen (being sworn) Negro saith, that on Tuesday night the 5. ~~from~~ ^{from} the instant, he was going to Meeting, and at the corner of Mr. Clark's - he pass'd the witness Greenwood, that the prisoner was standing a small distance off, that as he pass'd by Greenwood, the witness said he felt ~~uncomfortable~~ ^{uncomfortable} ~~upon~~ ^{upon} which the prisoner, observed that damn you I will make you sicker, - and that the prisoner advanced towards him and stabbed him in the back the (witness being in the act of going from the prisoner) that after he was stabbed in the back, he turned round he asked the prisoner ^{if he} ~~had~~ ^{stabbed} him, and just as he ~~turned~~ ^{turned} the witness saw as he turned, the prisoner ~~stabbed~~ ^{stabbed} the witness in the breast, - at which time he saw the spear, - upon which the witness picked up a stone and ~~knocked~~ ^{knocked} down the prisoner, ~~the prisoner~~ ^{the prisoner} went towards Mr. Harrison and ~~knocked~~ ^{knocked} down the prisoner - that he the witness followed ~~the prisoner~~ ^{the prisoner} after steps, but ~~was going towards Mr. Harrison~~ ^{he became so weak from the loss of blood, that he fainted and fell down in the street, - the witness says he had no intention to fight with the prisoner - the witness said that the blood run out of his mouth - very much. -}

The weather is very much changed since we left

the river being much higher than it was

at the time we left the river - the water is

very much higher than it was at the time

we left the river - the water is very much

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Cornth is Ben Hopkins ~~trial~~ for Murder

James Bopwell (free negro) Says he saw Cato knock Ben down with a stone near to W. Clarke's Corner before that time Cato said Ben had stabbed him, after Ben was knocked down Cato walked up street until he saw Ben get up he then turned and followed after Ben towards Robt Harrison he saw no more of them until Cato hollowed out

Isaac.

Saith that Ben was standing at the corner with a stick in his hand and Cato walked back and forward and walked off and returned with his coat off and as he passed Ben Cato said he felt unwell and believed he would go to meeting Ben said he would make him feel worse unwell, ^{to which Cato made some reply} and run at Cato with a something in a stick which he pulled out and stuck him Cato asked him what he had in his hand said he had stuck him Ben made no reply Witness thinks he stuck him ^{in the back} with something which he pulled out of a cane Cato walked around and took up a stone and knocked Ben down and went off up street when he saw Ben get up and go off Cato followed Ben grasping for stones as he went along and he saw no more until he heard Cato hollow out in a distressing moan

Jack White he at the last period of Cato's life to wit the morning before Cato died he went to Cato and asked him some questions to wit whether he did not think it wrong to quarrel in the manner he had, and asked him how often did Ben stab him he said two or three times he said he stabbed him twice he was certain Witness asked him if he felt immediately after he was ~~stabbed~~ stabbed he said he did not he turned round and Ben went off and he followed him

Doctor P Harrison

States that he Examined the Body of Cato after his death upon opening his Breast it was obvious that the Lungs were wounded by some Instrument and he is of opinion that the heart may have been wounded also from its appearance is clearly of opinion that the Stabbing was the Cause of Cato's Death

I have the honor to acknowledge the receipt of your letter of the 10th inst. in relation to the above named matter. I have the honor to inform you that the same has been forwarded to the proper authorities for their consideration. I am, Sir, very respectfully,
 Yours, very obediently,
 J. B. Thompson

The Commonwealth of Virginia to the Sheriff of Rockingham County,

Greeting:

YOU are hereby commanded to summon Robert Herron John Clarke
Michael Newman Isaac Adams, Joseph Harrison
Betsey Holman John Givins

to appear

before the Justices of our Court of Rockingham County at the Court-House on ~~the~~
~~tomorrow~~ day of ~~Court next~~, to testify and the
truth to say in behalf of Ben Hopkins

in a certain matter of controversy in
our said Court, depending and undetermined, between the Comth and said

Benjamin Hopkins Depts

And this they shall in no wise omit under the penalty of £100 each

And have then there this writ. Witness HENRY J. GANGLILL Clerk of our said Court

at the Court-House the 30th day of July 1821

and in the 46th year of the Commonwealth.

H. J. Ganglill

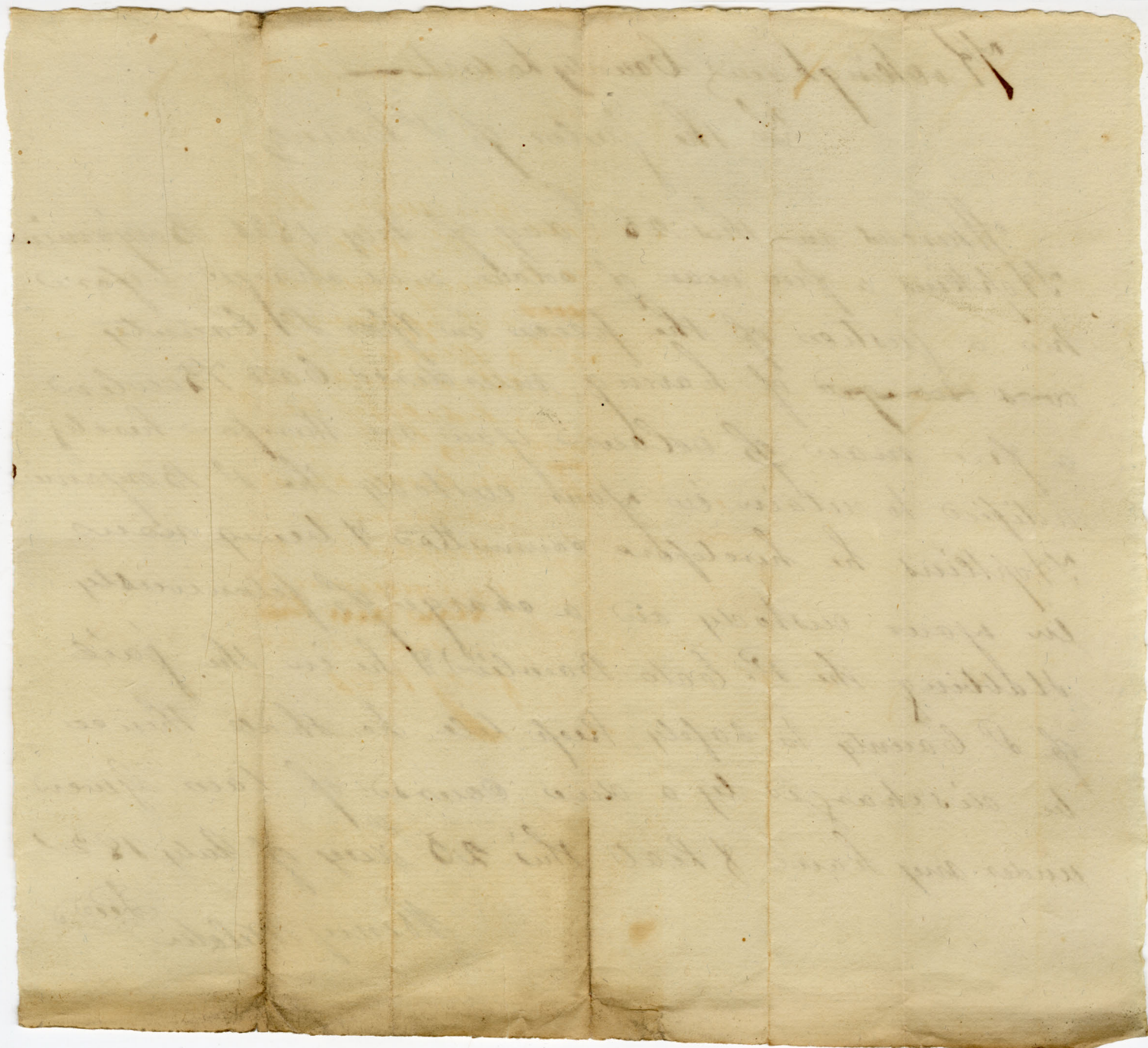
Ben
201 } Spa
Carruth }

Lookingham County to wit

To the jailor of D County

Whereas on this 25th day of July 1821 Benjamin Hopkins a free man of colour was charged before me a justice of the peace in & for D County - ~~was charged~~ of having murdered Cato Bowlin a free man of colour you are therefore hereby notified to retain in your custody the D Benjamin Hopkins he heretofore committed & being now in your custody on a charge of feloniously stabbing the D. Cato Bowlin & he in the jail of D County to safely keep till he shall there be discharged by a due course of law. Given under my hand & seal this 25th day of July 1821

Henry Miller 



Richmond County to wit

To the Sheriff of sd County

Whereas Benjamin Hopkins a free Man of colour was this day
committed to the Jail of this County by my warrant on the
charge of having murdered Cato Paulin a free man of
colour, and it appearing to me ~~of having murdered~~ that the
sd felonious offence to wit the murder of Cato Paulin whereunto
he stand charged, ought to be examined into by the County Court
therefore on behalf of the Commonwealth I require you that
you summon at least eight of the Justices of your County
to meet at the Court house on the 31st day of ~~July~~ ^{the} Month and there and
there to hold a Court for the examination of the fact with
which the sd Benjamin Hopkins stand charged and for such
other purposes concerning the premises by Law required and
directed and ~~know and that~~ that you have then there this
warrant given under my hand and seal this 2nd day
of July 1821

Benj. Ricketts

Executed on Richard P. Fletcher
Daniel Matthews Stephen Hunsbarger
George Austin Henry Wetzel Peachy
Harrison Joseph Cravens

John Brainerd Esq
H. H. Hunsbarger Esq

Canth
" } Warrant
Ben }

1831 July 31st Call^d
Court held and
~~prisoners sent on~~
for trial

Worcester County Court

These are to Command to Recieve into your
jail & Custody the body of Sam Hopkins
a free man of Color formerly charged before
with felonious stabbing Eato Holin in the
Borst & Back with shew or dirk with the
felonious ~~murder~~ ^{to deliver} intent, ^{on Tuesday Evening 5 June last} and this Saffly to make
tell he shall there be discharged by the Court
of Low Court under my hand & seal this
this 8th day June 1821

Wm. W. D. D.

Courts
Ben & Marrent

Rockingham County to wit

So Sheriff of said County

Whereas Ben Hopkins afore said of said County
labourer was this day committed to the jail of this
County by my Warrant for ~~unlawfully~~ ^{unlawfully} stealing
Cato Collins afore said of said County in ^{the} Breast & Back
with a shew or disk on Tuesday Evening about Eight o'clock
on the fifth of ^{June} ~~July~~ 1821 with the ^{felony} intent to disable the
said Cato Collins ^{from} appearing to me that the said felonious
offence where with the stands charged with ought to
be examined into by the County Court therefore on
behalf of the Common wealth I require you to summon
at least Eight of the justices of your County to
Meet at the Court house on Friday the 15 day
of this month & then & there hold a court for the
Examination of the fact with which the said Ben Hopkins
stands charged & for such other purposes concerning
the premises as is by Law required & directed and
that you have then & there this warrant given under
my hand & seal this 8 day of ^{June} ~~July~~ 1821

Henry Delah

(L)

James Houston Joseph Baxter Walter Harris
John Biggs John DeCouville Joseph Koravens and
Orville Harrison

Courts

Ben & Warrant

1821. June 15. Cal
Court held, and
prisoners sent on
for trial &