

Summoned

The Testimony of James Croft, a Witness in behalf of the
Commonwealth on a warrant for the arrest of William
Bateman junior charged with the murder of Jacob Del-
kert, a Delinquent, taken before me, Samuel H. Lewis a
justice of the peace for Rockingham County, on the
twenty sixth day of December one thousand eight hundred
and twenty three.

James Croft of lawfull age, being first duly sworn, de-
posed, and saith as follows to wit: That he was at the
house of William Bateman junior (the prisoner) on the evening
of the twenty third day of the present month, when the
said Bateman and his wife being in a quarrel, and casting
up the faults of their families to each other. He the said
William Bateman said to his wife, that he (the said Wil-
liam Bateman junior) had never killed any body but Jacob

Delkert.

Question, Did William Bateman (the prisoner) appear to be in
earnest when he said so, or did seem to speak in jest,

Answer, He seemed to be angry, - and not in jest.

Question, by the prisoner: Did any one ever offer you money
to swear that I did kill Jacob Delkert.

Answer, No one ever did offer me any money to swear that
William Bateman did kill Jacob Delkert, but Patsy Delkert
some time ago told me that if ever I heard any thing about
William Bateman's killing her brother, and would let her
know that she would give me her horse, - but I never did
tell her what I have now sworn to, - nor did I ever promise her
to try to find out any thing about it.

Question, are you certain, & positive in your recollection
of hearing William Bateman junior say that he killed
Jacob Delkert?

Answer, I am, - he did not ^{say} that ^{he} killed Jacob Delkert,
but said that he never killed any body but Jacob Del-
kert.

Signed

James Croft

Sworn to, and subscribed before the Subscribes one of the
Justices of the Peace for Rockingham County this County
sixth day of December one thousand, eight hundred &
twenty three

Saml. H. Lewis

Court

of
Bateman & Papes

Call. Court. which
was held, 3rd
Jan'y 1824. &
Persons aggrieved

James Bateman being first duly sworn, deposes, and saith as follows to wit,

That he was at the house of William Bateman Junior on Tuesday evening the twenty third day of December one thousand eight hundred and twenty three, when the said William Bateman and his wife, being in a quarrel, and casting up to each ^{other} the faults of their families, he William Bateman junior said that he had killed Jacob Delkert, & then said that every body believed that he had killed him, - so I understood him. Question, Did William Bateman, the prisoner, appear to be in earnest when he spoke?

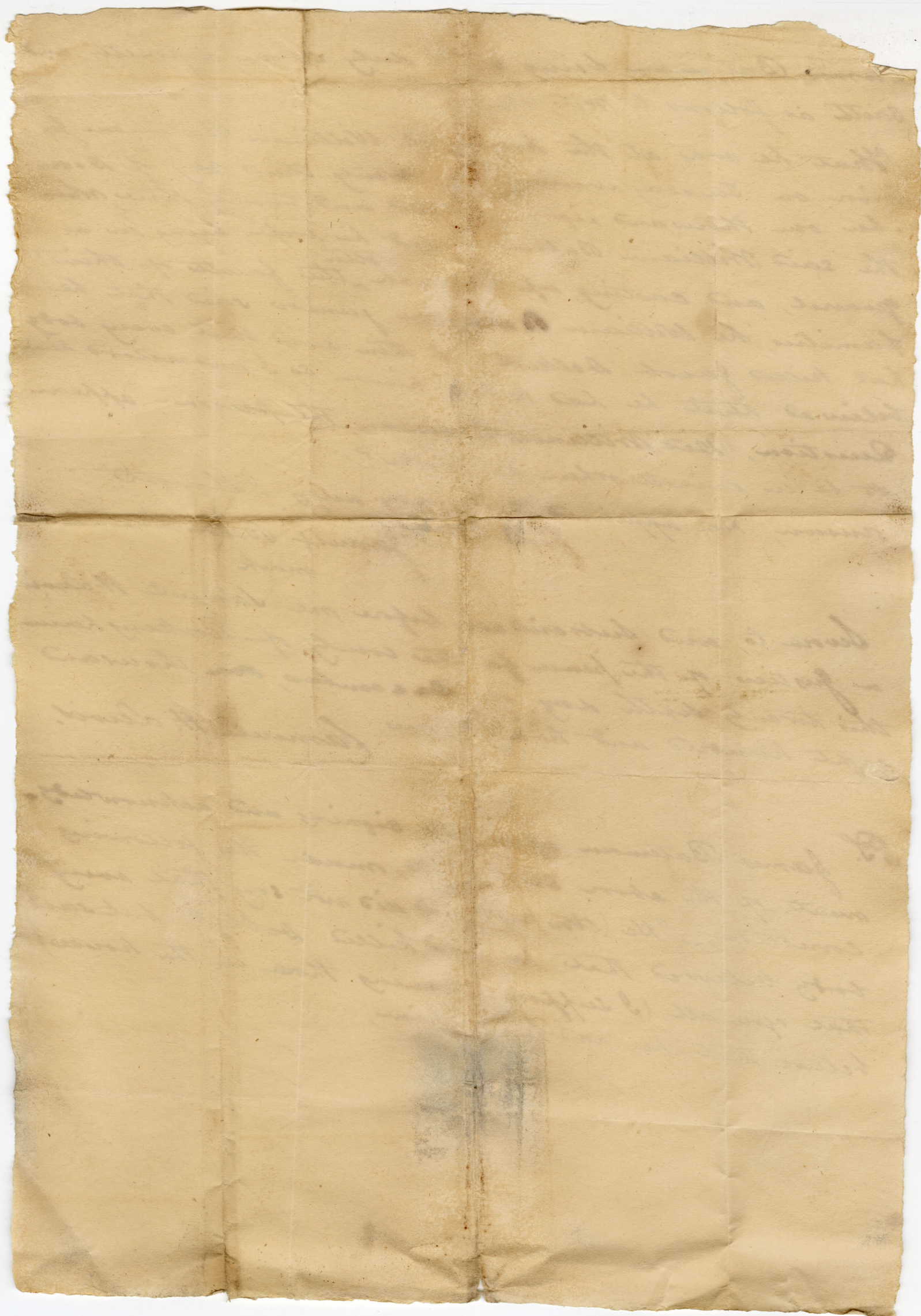
Answer, He appeared to be very angry I thought,

Signed

James ^{his} Bateman
monk

Sworn to, and subscribed before me Samuel H. Lewis a Justice of the peace for the county of Rockingham this twenty sixth day of December, one thousand eight hundred and twenty three Samuel H. Lewis.

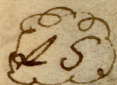
J. James Bateman after the signing and acknowledgment of the above statement, made the following correction, - "He (the prisoner) did not say that every body believed that he had killed Delkert, but said that you all (I suppose meaning those in the house) believe that he had killed him,



Rockingham County, To Wit,

Whereas ~~Christian~~ Telkert, (or

Delkerd) of Rockingham County hath made oath, this day, before me, Samuel N. Lewis, a Justice of the peace for the county aforesaid, that about the fourth day of December one thousand eight hundred and twenty two, Jacob Telkert (or Delkerd) was found dead, and from the appearance of the body it seemed that he, the said Jacob Telkert (or Delkerd) hath been murdered or beaten to death, and that he the said Christian Telkert, or Delkerd, hath good grounds to suspect, and doth suspect, that William Bateman junior of the county of Rockingham perpetrated the murder aforesaid. These are therefore to require you forthwith to apprehend the said William Bateman junior, and bring him before me, or some other Justice of the peace for the said county of Rockingham to be dealt with according to law - Given under my hand & Seal this twenty sixth day of December one thousand eight hundred and twenty three.

Samuel N. Lewis 

To any sworn officer of Justice in Rockingham County.

You are hereby commanded to Summon James Croft - Mary Hardwick, - Hannah Allen, and James Bateman, as witnesses in behalf of the Commonwealth.

S. N. Lewis

Executed this Warrant on Wm. Bateman for
and Returned before Samuel H. Lewis this 26 Day of
December 1823

Wm. Lewis Const.

Rockingham County Co N.H.

To the Sheriff of said County

Whereas William Bateman
Junior, late of Rockingham County was this day committed
to the jail of this County, by my warrant it appearing to me
that the Felonious offence ^{to wit the murder of Jesse Dickson alias Tilton} wherewith he stands 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 said County to meet at the Court house
on the third day of January next ensuing, and then and there
to hold a Court for the examination of the fact with which the
said William Bateman Junior stands charged, and for such other pro-
cess concerning the premises as is by law required and directed,
and that you have then and there this warrant, — Given under
my hand and seal this twenty sixth day of December
one thousand eight hundred and twenty three

Samuel Merriam, (28)

Executed by ^{John} Camilton, Campbell, David Henton,
Joseph Chis, George Clarke, Henry Welch.
Joseph Cravens,

for Joseph Barber, George Houston, Samuel Lewis and
Stephen Warrsberger.
J. Crumney for

Marant

Warrsberger
to

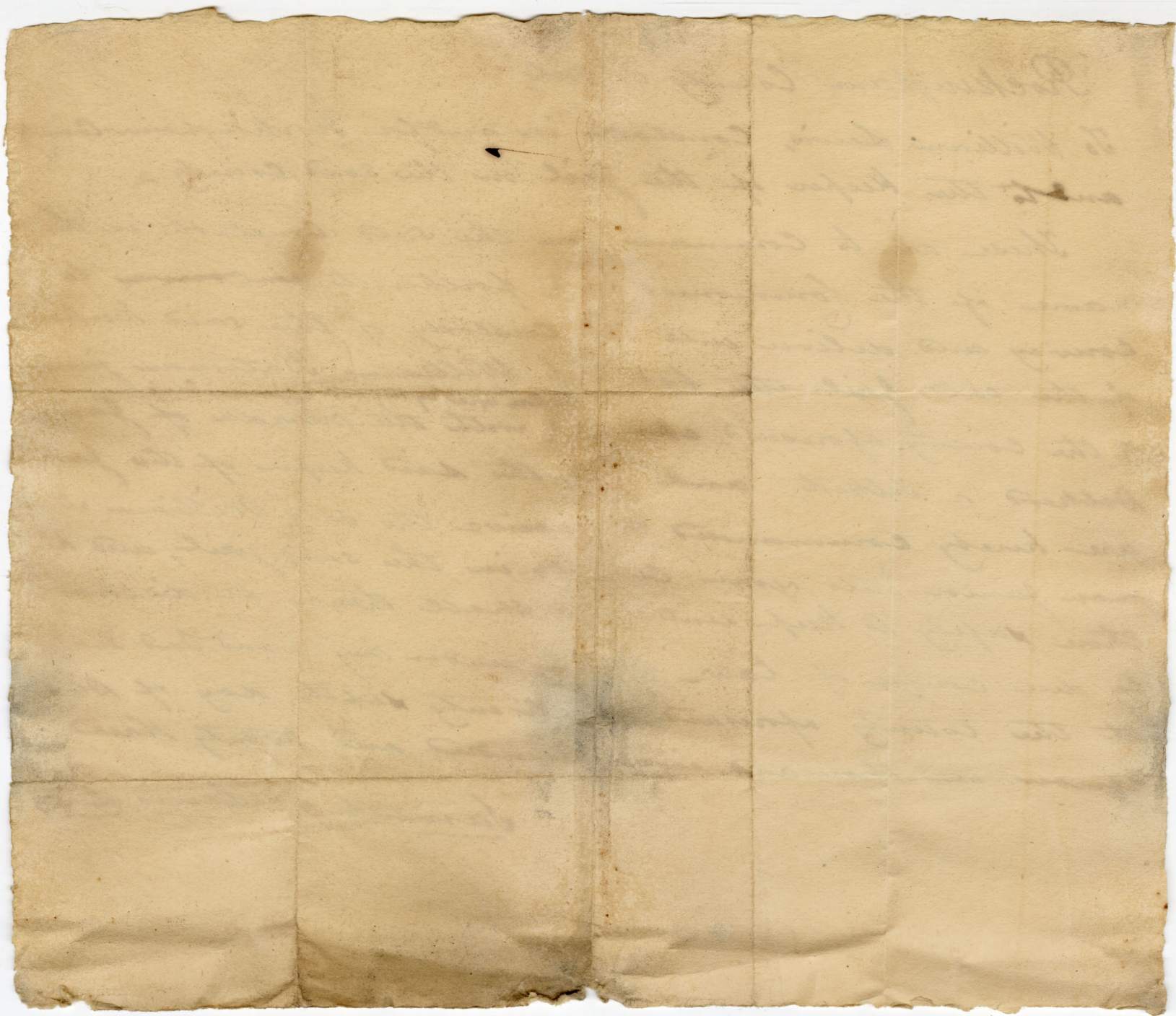
Count

Rockingham County To wit,

To William Lewis, Constable in and for Rockingham County
and to the Keeper of the Jail in the said County

These are to Command you the said Constable, in the
name of the Commonwealth, forthwith ~~to convey~~ to
convey and deliver into the Custody of the said Keeper
of the said Jail the body of William Bateman junior
of the County aforesaid, charged ^{before me by the oath of James Croft} with the murder of Jacob
Delkerd (a Felkert,) and you the said Keeper of the Jail
are hereby commanded to receive the said William Bate-
man Junior into your Custody in the said Jail, and him
there safely to keep untill he shall thence be discharged
by due course of law. Given under my hand and Seal
at the County aforesaid this twenty sixth day of De-
cember one thousand eight hundred and twenty three

Samuel H. Lewis. *LS*



James Croft, James Bateman, and Lawrence Rains Sen.
latours, in Rockingham county, severally acknowledge them-
selves indebted to James Pleasant Jr, esquire, governor
of the Commonwealth of Virginia and his successors,
that is to say James Croft in one hundred dollars, James
Bateman in one hundred dollars, and Lawrence Rains Sen.
in one hundred dollars, each, to be levied of their goods and
chattels, to the use of the said Commonwealth; upon
condition that if each of them do personally appear
before the Commonwealths justices of the peace for the
said county of Rockingham on the third day of Jan
uary next ensuing at a court to be by them held at the
courthouse of the said county for the examination of
William Bateman Jr charged with the murder of Jacob
Telbert, and as then and there on behalf of the said Com-
monwealth give such evidence as they knoweth against
the said William Bateman Jr concerning the matters where
with he is charged, and that neither he, nor either of them do
depart without leave of the said court, then this recogni-
zance to be void else to remain in full force.

In testimony whereof they the said James Croft, James
Bateman, and Lawrence Rains Sen. have herts set their
hands and seals this 26 day of December 1823.

Signed, Sealed and
delivered in presence of
Saml. D. Lewis

James Croft LS
James Bateman LS
Lawrence Rains Sen. LS

Will Morris &

Ed. Mather

John Austin

Sam. Davis

John

Will Murray

Wm. Craig

in Dore

ing / Col. Murray

Thos. French

Lucia Hatcher by Pris } ing

John

Thomas Allen

Com. J. J. J. J.

James Crook

James Butler

Sam. H. H. H.

Thomas Allen