

Rockingham County

Circuit Superior Court of Law & Chancery

The jurors for the body of the County aforesaid on their oath present, that heretofore to wit on the 2<sup>d</sup> day of January, in the year of our Lord Eight hundred and forty one, at the Parish of Rockingham in the said County of Rockingham, Abraham Thomas (alias Abraham McCall) late of the said Parish and County aforesaid, in and upon one Robert Gilmore then and there being, feloniously, deliberately, premeditatedly, and of his malice aforethought, did make an assault, and that the said Abraham Thomas (alias Abraham McCall) with a certain piece of wood of the value of five cents which he the said Abraham Thomas (alias Abraham McCall) then in both his hands then and there had and held, the said Robert Gilmore, in and upon the head of him the said Robert Gilmore, then and there feloniously, wilfully, deliberately, premeditatedly, and of his malice aforethought, did strike, giving to the said Robert Gilmore then and there, with the piece of wood, in and upon the right side of the head of ~~the head~~ <sup>him</sup> the said Robert Gilmore one mortal wound, of the breadth of four inches, and of the depth of ~~two~~ <sup>two</sup> inches; of which said mortal wound, he the said Robert Gilmore ~~from~~ <sup>from</sup> the said second day of January in the year eight hundred and forty one, until the third day of January in the year eight hundred and forty one, at the Parish of Rockingham in the County of Rockingham aforesaid, and within the jurisdiction of this Court, did languish, and languishing did live on which said third day of January, in the year eight hundred and forty one, at the Parish and County aforesaid, and within the jurisdiction of this Court, of the mortal wound aforesaid, he the said Robert Gilmore died. And so the jurors aforesaid on their oath aforesaid do say, that the said Abraham Thomas (alias Abraham McCall) in manner and form aforesaid, feloniously, wilfully and of his malice aforethought, did kill and murder, against the Statute in such case made and provided, and against the peace and dignity of the Commonwealth of Virginia.

And the jurors aforesaid, on their oath aforesaid, do further present, that heretofore, to wit on the second day of January, in the year of our Lord Eight hundred and forty one, at the Parish of Rockingham, and in the County aforesaid, and within the jurisdiction of this Court, Abraham Thomas labourer (alias Abraham McCall) late of said Parish and County aforesaid, in and upon one Robert Gilmore, then and there being, feloniously, deliberately, premeditatedly, and of his malice aforethought, did make an assault, and that the said Abraham Thomas labourer (alias Abraham McCall) with a piece of wood, of the value of five cents, which he the said Abraham Thomas, labourer (alias Abraham McCall) in both his hands then & there had and held, the said Robert Gilmore, in and upon the head of him the said Robert Gilmore, then and there feloniously, wilfully, deliberately, premeditatedly, and of his malice aforethought, did strike, giving to the said Robert Gilmore a mortal wound of the length of six inches, and the depth of one inch, and ~~fracturing~~ <sup>fracturing</sup> the skull of him the said Robert Gilmore, to the length of three inches, of which said mortal wound and fracture, he the said Robert Gilmore, from the said second day of January eight hundred and forty one, until the third day of January in the year eight hundred and forty one, at the Parish of Rockingham, and in the County of Rockingham aforesaid, and within the jurisdiction of this Court, did languish, and languishing did live, on which said third day of January in the year eight hundred and forty one, at the Parish and County aforesaid, and within the jurisdiction of this Court, of the mortal wound and fracture aforesaid, he the said Robert Gilmore died. And so the jurors aforesaid, on their oath aforesaid do say, that the said Abraham Thomas labourer (alias Abraham McCall) in manner and form aforesaid, feloniously, wilfully, and of his malice aforethought, did kill and murder, against the Statute in such case made and provided, and against the peace & dignity of the Commonwealth of Virginia.



W. J. Ford.

Jam Moore

In Eamam.

Joseph L. L. L.

Baron de ...

fa. 108 Bari

Charles Palmer

Erasmus Feltw

Alexander M. G. May

Henry Mace

David W. M.

Joseph R. ...

Common with the

2 { Indictment for murder.

North on Thomas (alias North on McLean)

a true bill

Geobornad

Freiman

Com mto

Thomas Lewis Webb

1841. May 24th only  
pleas. Day seen not  
agreeing. Some of the farms  
raining away, the other acted  
Hires are removed fixed  
to 4th apt. the furor

Delator primum accipit

We the Jury find the  
Prisoner not guilty

not guilty

Ed. P. Sims

over more

Arthur Harris, John Hawley, Cynthia Peterson, Matthew Morgan  
Hansen & Eugene H. Jensen & William for the (united)  
women to defend me

19 J. H. Aubert

Sold the 20 April 1841