

Rockingham County to wit

Be it remembered that on the 23 day of November 1858, James Pulliam and Lucinda Burk of the said County, personally appeared before us. Justices of the aforesaid County and each of them separately & individually to be indebted to the Commonwealth of Virginia in the sum of one Hundred Dollars, Lawfull Money of the United States, to be levied of each of their goods & chattels, lands & Tenements, to the use of the Commonwealth If the said James Pulliam or Lucinda Burk shall make default in the performance of the Condition, under written.

The Condition of this recognizance is such, that if the above bound James Pulliam & Lucinda Burk and every of them shall personally appear before the County Court of said County on the first day of the next term thereof to give evidence in behalf of the Commonwealth against Fernand Crawford <sup>who</sup> stands charged with killing Thomas Burk and do not depart thence without the leave of said Court then this recognizance to be void other wise to remain in full force and Virtue.

Taken and acknowledged before us in the said County, this day & Year first above written.

A. Argabright JP  
J. A. White JP



of 3  
Witts co.



To the Clerk of

Rockingham County Is Writ

To the Clerk of the County Court of said County  
J. H. A. Kite a Justice of the said County do hereby certify  
That I have by my warrant this day committed Fernando  
Crawford a white person to the Jail of this County that he  
may be examined before the County Court of the said  
County for a felony by him committed in this that he  
did on the 22<sup>nd</sup> day of November 1858 in the said County  
feloniously & of his Malice afore kill & murder one  
Thomas Burks - Given under my hand this 22<sup>nd</sup> day  
of November in the Year 1858

J. H. A. Kite J.P.



Commonwealth of Va. vs. Fernando Crawford  
Charged with the Killing of Thomas Burke  
Evidence in behalf of the Commonwealth <sup>of Va</sup> Taken  
at Lee's Hall on Tuesday the 23<sup>rd</sup> May Nov. 1858)

James Fullum, being first duly sworn - Says -

Ques. When were you when you first heard of Tho.  
Burke's death

Ans. At Mr. S. C. Raylor's

Ques. What is the distance to Mr. Raylor's

Ans. Suppose about one & half miles

Ques. How long was it from the time you heard  
the report until you got to Burke's

Ans. Suppose about half hour

Ques. How did you find Burke when you got  
there

Ans. He was dead - & his sister holding him  
in her arms

Q. Was there any other person present

A. Monrovia Powell

Q. What did you then do

A. I then went to Fernando Crawford's  
House, & asked him if he shot Burke  
& he said he did. I then went back to Mr.  
Burke <sup>lay</sup> & told Mr. Powell that Crawford said  
he had shot Burke, & that we had better  
move him to the (Burke's) House

Q. Why did you ask Crawford if he shot  
Burke

A. I had been informed before I got to where  
Burke lay that Crawford had shot Burke

Q. When you got there did you see any  
wound on Burke

A. I saw where a ball had entered his side



Q. Did Crawford say why he shot him

A. Crawford told me he did it in self defense

Q. How far was it from Crawford's House to where Burke was shot

A. Suppose about three or four hundred yards

Q. Did you see any weapons at this time

A. No. But Crawford showed me a pistol since which he says was the one

Lucinae Burke being first sworn - says -

Q. Now you know Mr. Crawford

A. I do

Q. Please state what you know about this affair

A. When my brother came home he told me he would go & get me some wood. I was weaving - I got out of my loom & went up in the woods where they were kept Crawford. They were disputing & my Brother picked up a gravel & pitched it <sup>toward</sup> at the tree. & said Jack - I told you to keep off this land it is in dispute - Crawford then ran around the tree close up to him & shot him & as soon as he shot he ran off. I then went up to my Brother & he says Sister, I am gone.

Q. How long was it after your Bro. left the House before you followed

A. A very short time

Q. When did you first see your Bro. after leaving the House

A. He & Crawford were disputing

Q. How far were you from them

A. About ten yards - I suppose



Q Did your Bro. seem to be angry

A - I think not

Q Did he have any weapons

A No.

Q did not your Bro. have his axe with him

A No. he left it about twenty yards back  
from where he was shot.

Q How long do you suppose he lived after  
he was shot

A I suppose about half hour

Q do you know what he was shot with

A - a pistol

Q - How far was Crawford from you Bro.  
when he shot him

A. I suppose a few feet - (about two or three)

Q were they on speaking terms

A I think they were

Testimony in behalf of the Prisoner

Mrs. Coleman being first sworn says

Q Did you ever hear Burke threaten Crawford

A I heard Burke tell Crawford if he ever  
caught him up in the wood again he  
would stomp his God damned heart  
out of him & again that he would  
kick his daylight out of him.

Q Were Burke & Crawford on good terms

A I think not

Q - How long since you heard Burke threat-  
- en Crawford up in the wood

A about four weeks - I suppose

Q What was the cause of this difficul-  
- ty

A It was in regard to some notice about



the Land on which Burke lived

Q - Whose Land is it -

A - The Land is in dispute, Crawford & myself  
Bought it - we bought Jacob Baughman's  
right in it.

Q - Allen J. Lamb being Sworn says

A - In a conversation with Mr. Burke in  
regard to some things that Crawford &  
others were making on the land - Burke  
said they quit because they were forced  
to quit - & if Crawford cut any more  
timber on the land he would kill Cra-  
wford or Crawford should kill him.

Q - How long since this conversation occurred

A - Sometime in September last

Q - Do you know whether Burke carried weapons

A - Don't know

Q - Do you know whether Crawford <sup>was in the habit of</sup> carrying weapons

A - Don't know

Jam. T. May or being Sworn says

In conversation with Burke in regard  
to the purchase of the land by Crawford  
& Coleman - Burke remarked that if it  
had not been for you I would have killed  
one damned rascal & the next one that  
comes & troubles me I will kill & go on  
about my business & I am prepared to  
do it

Archibald McDaniel being Sworn says

Q - Did you ever hear Burke threaten Crawford

A - I heard Burke say if Crawford <sup>cut</sup> another  
tree then on the land then should be acc-

The above examination was taken before us  
at the above named time & place - Given  
under our hands this 23<sup>rd</sup> day of November 1858

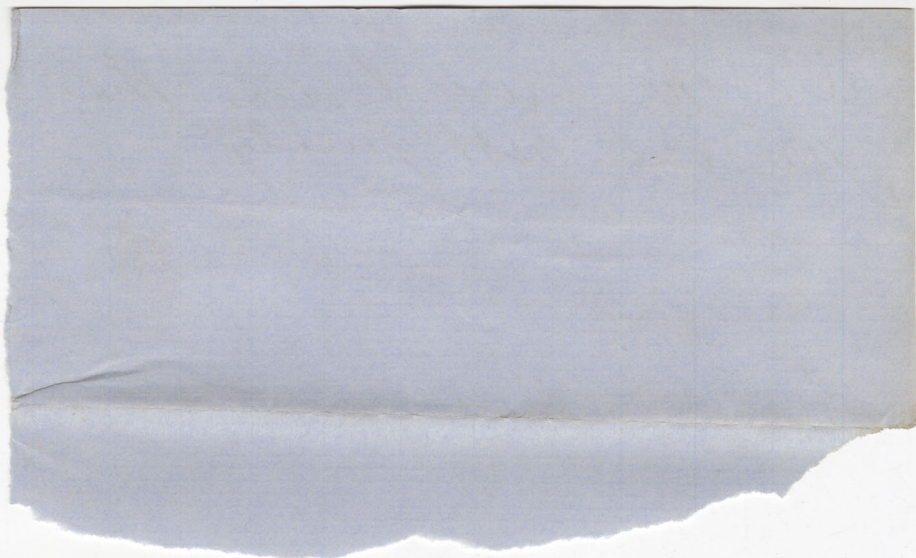
J. A. McDaniel

A. J. Wright



We the jury find the  
prisoner not guilty







12<sup>th</sup> Judicial Circuit

Rockingham County, South.

In The Circuit Court for  
The said County.

The Jurors of the Commonwealth  
of Virginia, in and for the body of the County of Rockingham  
and now attending the said Court upon their oath  
present, That Fernando Crawford on the 22<sup>nd</sup> day of  
November 1858 in the County of Rockingham aforesaid  
with force of arms, in and upon the body of one Thomas  
Burke in the peace of the Commonwealth then and there  
being, feloniously, wilfully and of his malice aforethought  
did make an assault; and that the said Fernando  
Crawford, a certain pistol of the value of two dollars  
then and there charged with gun powder and one leaden  
bullet which said pistol, he the said Fernando Crawford  
in his hand then and there held, then and there feloniously  
wilfully and of his malice aforethought, did discharge  
and shoot off to, against and upon the said Thomas  
Burke and the said Fernando Crawford with the leaden  
bullet aforesaid, out of the pistol by the said Fernando Crawford  
discharged and shot off, as aforesaid, then and there feloniously  
wilfully and of his malice aforethought, did strike  
penetrate and wound the said Thomas Burke in and  
upon the body of him the said Thomas Burke, giving  
to him the said Thomas Burke, then and there  
with the leaden bullet aforesaid, so as aforesaid  
discharged and shot out of the pistol aforesaid  
by the said Fernando Crawford in and upon the  
body of him the said Thomas Burke one mortal  
wound of which said mortal wound, he the



said Thomas Burke then and there instantly did  
and so the Jurors aforesaid, upon their oath aforesaid  
do say, that the said Fernando Crasford, him  
the said Thomas Burke in the manner and by the  
means aforesaid feloniously, wilfully and of his malice  
aforeshown, did kill and murder against the peace  
and dignity of the Commonwealth of Virginia



Indictment  
Buckingham County, Va.

In The Circuit Court for  
The said County

The Jurors of the Commonwealth

appear in and for the City of the County of Buckingham

now attending the said Court upon their oath

swear that James M. Crawford on the 22<sup>nd</sup> day of

March 1888 in the County of Buckingham appeared

at peace of arms, in and against the City of the County

of the County of the Commonwealth the said James

M. Crawford

made an affidavit in writing to the effect that

on or about the 10<sup>th</sup> day of the month of March 1888

the said James M. Crawford was one of the

persons who were present at the

meeting of the said City and James M. Crawford

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meeting of the said City and James M. Crawford

James M. Crawford

James M. Crawford

James M. Crawford



said Thomas Burke then and there instantly did  
and so the Jurors aforesaid, upon their said oath  
do say, that the said Fernando Crawford, by  
the said Thomas Burke in the manner and by the  
means aforesaid feloniously, unlawfully and of his own  
advice, did murder against the peace  
and dignity of the Commonwealth of Virginia

Commonwealth

(21)

Fernando Crawford

Indictment for  
murder

Attest  
J. H. Hays  
Foreman

See the Jury find the prisoner Not Guilty

J. J. O'Connell  
Foreman



# THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY, GREETING:

You are hereby commanded to summon *William C. Hawkins*

to appear before the Judge of the Circuit Court of Rockingham County, at the Court-House, on the *first* day of *the October* Court next, to testify and the truth to say on behalf of *the Commonwealth*

in a certain matter of controversy in our said Court, depending and undetermined between *the Commonwealth and Fernando Crawford Sept.*

And this *he* shall in no wise omit under the penalty of £100. And have then there this writ. Witness, ARTHUR ST. C. SPRINKEL, Clerk of our said Court, at the Court-House, the *27<sup>th</sup>* day of *September* 18 *59*, and in the *84<sup>th</sup>* year of the Commonwealth.

*A. St. C. Sprinkel*



Ex. of an item to Hawk ins.

Y. C. Ammon  
for M. W. H. H. H.

Corinth  
or } Spier  
Gravford

Oct. 1859



The Commonwealth of Virginia

To the Sheriff of Rockingham County Greeting:

We command you that you summon Twenty  
four persons, freeholders of your said County, residing remote from the  
place where the Murder was committed of which Fernando Leranford  
stands charged, and said persons to be qualified in other respect to serve as  
jurors, to appear before the Judge of the Circuit Court of Rockingham, on the  
first day of the next term of the said Court, to recognize on their oaths whether the  
aforesaid Fernando Leranford be guilty of the Murder whereof he stands  
charged, or not, and have then there the names of the said freeholders and  
this writ. Witness Littleton W Gamble Clerk of the County Court of  
Rockingham, at the Court house thereof this 28<sup>th</sup> day of April 1859  
and in the 83<sup>rd</sup> year of the Commonwealth

LW Gamble CLK



Commonwealth

vs. Josephine Pallas

Cranford

At May Circuit Ct. 1859

Testified May 9<sup>th</sup> 1859 on the return  
ing known to wit. John Lawrence Jacob Williams  
Henry McHenry John Deedy Adam Mutsaers  
Spring Locoma St. R. Hoffmann William Mutsaers  
John Deedy Levi Carter Wilo Deers Jacob  
C. Hermann Abraham Shand Jacob Hoffman  
William Deedy John Lee and John Lawrence  
John Hoffman for H. H. Harris George  
Henry Andrews Hecker James Hammond  
John Hoff Leuti Gato & Adam Mutsaers  
for Joseph W. W.

Issued for Oct. 1859



Rockingham County, N. H.

James Pullium upon oath complains, that on the 22<sup>d</sup> day of November 1858 in the County of Rockingham Fernando Crawford, did kill one Thomas Burke, & he the said James Pullium therefore prays that the said Fernando Crawford may be apprehended and held to answer the said complaint, & dealt with in relation thereto as the Law may require - Witness this 22<sup>d</sup> day of Nov: 1858

James Pullium

Rockingham County, N. H.

22<sup>d</sup> day of Nov: 1858, the said James Pullium made oath to the truth of the foregoing complaint - before me

St. A. Kite J. P.

Rockingham County, N. H.

To Mr. H. L. Livingston, Constable of said County

Whereas James Pullium of said County, has this day made complaint & information on oath before me St. A. Kite, a Justice of the said County that Fernando Crawford on the 22<sup>d</sup> day of November 1858, in said County ~~did~~ feloniously & of his malice did kill & murder one Thomas Burke - Thus are therefore in the name of Commonwealth to command you forthwith to apprehend the said Fernando Crawford, & bring him before me or some other Justice of the said County to answer the said complaint, & to be further dealt with according to Law - Given under my hand & seal this 22<sup>d</sup> day of November 1858

St. A. Kite J. P.







# THE COMMONWEALTH OF VIRGINIA,

TO THE SHERIFF OF ROCKINGHAM COUNTY, GREETING:

You are hereby commanded to summon *Lucinda Burke, Asa Bangher,*  
*James Pulliam, Daniel Bangher, Isaac Hammer, Nicholas Breeden,*  
*William Kersley, Honor Powell, Henry Miller, James Hendy, Henry*  
*Hammer, John Kersley, William L. Tate, John Coleman, John Southern,*  
*Gardner Hammer, Robert Hammer, Thomas Shiflett and Edw. Frances,*  
to appear before the Judge of the Circuit Court of Rockingham County, at the Court-  
House, on the *first* day of *the October* Court next, to testify and the truth  
to say on behalf of *the Commonwealth*

in a certain matter of controversy in our said Court, depending and undetermined between  
*the Commonwealth and Fernando Crawford Esq.*

And this *they* shall in no wise omit under the penalty of £100. And have then there  
this writ. Witness, ARTHUR ST. C. SPRINKEL, Clerk of our said Court, at the Court-House,  
the *10<sup>th</sup>* day of *September* 18 *59*, and in the *84<sup>th</sup>* year of the  
Commonwealth.

*A. S. C. Sprinkel*



Executed on the within named Wil-  
-liam (except James Sullivan not found)  
Y. C. Amman dep.  
for W. H. Hoagler SPC

Cornth  
vs 3 spo  
Crawford

Oct. 1859  
(19)



THE COMMONWEALTH OF VIRGINIA,

To the Sheriff of Rockingham County, Greeting:

You are hereby commanded to summon *Ulm D Maiden*

to appear before the Judge of the Circuit Court of Rockingham county, at the Court-House,  
on the ~~—~~ day of *fourth* ~~Court next~~; to testify and the truth to say on  
behalf of

*The Commonwealth*

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

*U and Herman Crawford*

And this *he* shall in no wise omit under the penalty of £100. And have then there  
this writ. Witness, ARTHUR ST. C. SPRINKEL, Clerk of our said Court, at the Court-House,  
the *11* day of *October* 18*99* and in the *82* year of the Commonwealth.

*A. C. Sprinkel*



Oct 14th 1859  
G. W. Miller Esq.  
C. W. Miller Esq.  
J. W. Miller Esq.

Comment  
v. J. S. P.  
Crawford  
In Oct Court 1859



The Commonwealth of Virginia,

To the Sheriff of Rockingham County. Greeting

We command you that you summon twenty four persons, freeholders of your said County, residing remote from the place where the murder was committed, of which Fernando Crawford stands charged, and said persons to be qualified in other respects to serve as jurors, to appear before the Judge of the Circuit Court of Rockingham County, on the first day the October Term next of the said court, at the Court house of said County, to recognize on their oaths whether the aforesaid Fernando Crawford be guilty of the murder whereof he stands charged, or not, And have them there the names of the said freeholders and this writ, Witness Arthur S. C. Sprinkel clerk of our said Circuit Court, at the Court House thereof, this 8<sup>th</sup> day of September 1859, and in the 84<sup>th</sup> year of the Commonwealth,

A. S. C. Sprinkel clerk



Cornth }  
vs } mine facies  
Cranford }

Oct. 1859



Rockingham County to wit

Be it remembered that on the 23 day of November 1858) <sup>Mrs</sup> Coleman Allen P Lamb Archibald McDaniel John Hearn of the sd County personally appeared before us Justices of the sd County and each of them separately and individually and by and for himself acknowledge himself separately and individually to be indebted to the Commonwealth of Virginia in the sum of one Hundred Dollars lawfull Money of the United States, to be levied of each of their goods & Chattels, Land & Lincemnts, to the use of the Commonwealth if the said Mrs Coleman Allen P Lamb Archibald McDaniel & John Hearn shall make default in the performances of the Conditions under written

The Conditions of this recognizance is such that if the above bound William Coleman or Allen P Lamb Archibald McDaniel John Hearn and every of them, shall personally appear before the County Court of sd County on the first day of the next term thereof to give evidence in behalf of Fermanada Crawford in a case of the Commonwealth against Fermanada Crawford who stands charged with killing Thomas Burk and do not depart thence without the leave of sd Court - then this recognizance to be void otherwise to remain in full force and Virtue)

Taken & acknowledged before us in the said County, the day and Year first above Written.

A. Argabright JP

J. A. Kite JP



Comm<sup>th</sup> 3

Crawford

Lucinda Burke -

Defence

Kite -

Walker x Threats from Burke

Coleman - - +

Sailor (S)

Threats from Burke

Lamb

Threats from Burke

McDaniel

" " "

Pulliam Confirms the woman

Lamb (S) Saw a dent in the face  
heard her chuckle spoken of  
by a few

Mrs. Hammer - Burke was not dead when she got there  
an axe lying 11 or 12 ft from  
him - off to one side

Maiden - Rented the farm 18 years ago

Comm<sup>th</sup>

is Y Papers

Crawford

John Dean

Lucinda Burke recalled -

1859, May Indictment found  
and returned, Oct. Jury and  
Verdict Not Guilty,

Wife Lucinda Burke