

Be the jury find the prisoner guilty  
and give his imprisonment at three months  
in the County Jail  
H. J. Van Pelt

Rockingham County To wit

In the Circuit Court of 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 Augustus  
Morely, William Johnson and George Thom  
pson on the 14<sup>th</sup> day of June in the year 1866  
in the said County a certain dwelling house  
of one Nelson Sprinkle there situate in the  
night-time feloniously did enter without break-  
ing with intent this goods and chattels of the  
said Nelson Sprinkle in the said dwelling house  
then and there being found feloniously to  
take steal and carry away against the peace  
and dignity of the Commonwealth of  
Virginia



We the Jury find the prisoners George Thompson guilty in manner  
and form as in the indictment alleged and ascertain the term of  
his imprisonment in the Penitentiary at two years.

We the Jury find the prisoner Stephen Moseley <sup>Wm. J. Davis</sup> guilty in the manner & form as in the indictment alleged <sup>19</sup> against him as charged & ascertain the term of his imprisonment in the Penitentiary at three months.

Wm. J. Davis  
Stephen Moseley

We the Jury find the prisoner Wm. Johnson  
guilty and recommend his imprisonment in the  
Penitentiary for 18 months

Forfeiture of

Indictment  
for feloniously  
entering a dwelling  
House in the night  
time with intent to  
commit a Larceny  
Augustus Bradley

William Johnson  
and George Thompson

A true bill  
B. E. Long  
Foreman

We the Jury find the prisoner William Johnson  
guilty of the felony as in the indictment alleged and ascertain  
the term of his imprisonment in the Penitentiary  
at eight months

William Johnson

Foreman

Cornth vs Mosely

1866.

act Enty atty vs Mosely 10. One spn 20. copies 50. Enty  
order 36. Eng July 70. Enty Order 72. Enty Order 36.  
Enty Verdict 36. Indgt 36. Enty Elexon witness 3.30  
Enty Order 36. taxing costs 20. copy 20. filing papers 20  
certify costs to Auditor 100. Execution re 58. \$9.50



Comth  
vs } Costs  
Mosely.

Clerks fees	\$9.50
Sheriff —	1.50
Witnesses —	11.50
Attorney —	5.00
Jailer —	57.50
Jury —	12.00
Costs —	<hr/> \$97.00

Execution fees



1866. Court vs Wm Johnson

Oct. Entry atty vs Johnson 10. One Depa 20. Copies 50. Entry  
order 36. Surg Jury 70. Entry Order 72. Entry Order 36.  
Surg intrinsec 20. Entry verdict 36. Draft 36. Entry  
Surg intrinsec 3.30. Entry Order 36. taxing costs 20.  
copy 20. filing papers 20. copy Record 200. Certify costs  
to Auditor 100. Execution &c 58. \$11.70

1866 Oct. Same fees vs George Thompson

\$11.70

Cornth vs Johnson

Clerks fees	\$11.70
Sheriff	1.50
Witnesses	10.50
Attney	5.00
Jailor	57.50
Jury service	12.00
Costs	<u>\$98.20</u>

Cornth vs Geo. Thompson

Clerks fees	\$11.70
Sheriff	1.50
Witnesses	11.00
Attney	5.00
Jailor	57.50
Jury service	12.00
Costs,	<u>\$98.70</u>

Executors of Geo



2<sup>d</sup> That though the jury may believe that one of  
the other prisoners named in the indictment  
~~charged~~ did commit the felony charged  
yet if the Commonwealth has failed to fix it  
so positively and clearly upon the prisoner or failed  
to move he aided and cooperated with the others  
~~therefrom~~ as to establish a reasonable doubt  
then they must find the defendant not guilty  
but ~~that~~ ~~the~~ ~~jury~~

Use the jury find  
the Prisoner guilty &  
Penitentiary in the  
Penitentiary for Two  
Years

Wm. L. Gains  
Foreman



Commonwealth

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Johnson

Circuit Court of Rockingham  
County Oct. Term 1866

Be it remembered that  
the prisoner being indicted for and charged  
with having upon the night of the 14<sup>th</sup> June  
1866 entered without beating the dwelling  
house of Nelson Sprinkel situate in the  
town of Harrisonburg in the County aforesaid  
with intent to commit larceny was  
arraigned and after pleading not guilty  
was put upon his trial, whereupon a  
jury was impannelled and sworn  
who after hearing the evidence and  
arguments of counsel retired to consider  
their verdict and after some time returned  
into Court with a verdict of guilty fixing  
the period of the prisoners confinement  
in the Penitentiary at eighteen months  
and thereupon the prisoner through  
his counsel moved the Court to set aside  
the verdict and award the prisoner a  
new trial on the ground that the evidence  
was insufficient to authorize the  
conviction of the prisoner which motion  
the Court overruled and the prisoner  
through his counsel excepted and asks  
that this his exception may be signed  
sealed and enrolled which is done  
accordingly and thereupon the Court  
at the instance of the prisoner through



his counsel proceeds to certify the  
facts proved as follows to wit.

That on the night of the 14<sup>th</sup> of June 1866 Nelson  
Sprinkel a citizen and resident of the  
town of Harrisonburg on coming home from  
some outdoor business and suffering some  
from headache retired to bed about nine  
o'clock p.m. (not later) having before doing  
so as was his custom hung his pantaloons  
containing his pocketbook with about thirty  
or forty dollars in it and also his waistcoat  
containing his silver watch and some  
small money on the back of a chair  
at the foot of the bed. He slept soundly  
during the night and was at no time  
during the night disturbed by any one.  
His family consisted at the time of himself  
his wife, daughter and a ~~servant~~<sup>negro</sup> girl  
and negro man and two gentlemen the  
latter two being boarders; the negro man  
had a family of his own in a different  
part of the town with whom he lodged.  
The negro girl, <sup>aged sixteen</sup> was a servant in his family  
and slept in his house as was her custom  
on the night of the 14<sup>th</sup> of June 1866.  
The negro man had been in his employment  
for twelve or fourteen years and was  
familiar with his house and had access  
thereto. The negro girl had formerly  
been his slave and had been raised  
by him. He always regarded them  
both as trustworthy and honest



The weather being warm the inner doors of the dwelling were left open but the outer ones were locked as usual and the <sup>lower</sup> windows let down but they were not fastened and could be easily raised from the outside the outside shutters not having been closed <sup>but the window by which the entrance was supposed to have been effected was open</sup>. The said Sprinkel and his wife slept on the lower floor and the other inmates upstairs. Neither the said Sprinkel nor his wife nor any of the inmates of his family were disturbed during the night nor awakened by any person or any noise. In the morning of the 18<sup>th</sup> of June 1866 the said Sprinkel missed his pocketbook but supposed at first that he had lost it but soon thereafter finding his watch gone also he for the first time suspected that he had been robbed and some time after upon going into his backyard had his suspicions confirmed by seeing a ladder placed against his back building and footprints of a single person on the roof of the back building leading in the direction of the window of the main building in which he had slept. It was further proved by the said Sprinkel that any one entering by means of the ladder would have had to pass through a room occupied by the two gentlemen referred to at the time before it was possible to reach



The room in which the witness slept  
and would have had to pass down a  
stairway and through a hall.  
The footprints left on the roof of the  
back building showed that but one  
person if any entered the house in  
that direction. There were no indications  
that an entrance had been effected  
in any other way or by any other means.  
At first and after examining his premises  
the witness did not suspect any one but  
upon recollecting the fact that he had  
seen on the Monday preceding and also on  
Tuesday three strange negroes taking  
from this point the inner structure of the house of witness could  
be readily seen and observed  
as they near the one on which his dwelling  
house stands but on the other side of the  
street, ~~and one~~ frequented and used by  
the public he at once suspected they were  
the parties who had entered his house and  
stolen his property and money. The witness  
also proved that he had on the two  
days aforesaid to wit Monday and  
Tuesday next preceding the 14 June 1866  
seen ~~the said negroes~~  
sitting on a foot bridge over the run  
which crosses the Valley Turnpike at the  
northern end of the town which bridge  
is distant something over a hundred  
yards from his residence.

\* It was further proved that the prisoners  
and two other ~~negroes~~ <sup>prisoners</sup> were not



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residents of the town of Harrisonburg. <sup>and that they had</sup>  
~~stated to witnesses upon the Wednesday preceding that they~~  
~~were on their way preceding to Winchester and~~  
~~had been seen on the morning of the 15th June~~  
had been seen <sup>that on the morning</sup> ~~loft~~  
18th in a stable situated at the northern end

of said town near the said Turnpike owned  
by the said Sprinkel and others jointly.  
The said stable had hay in the loft but upon  
being sought for by said Sprinkel and others  
on the 15th June 1866 the prisoner and two  
others indicted with him were found  
on the outside of the stable and were  
arrested and committed. On search  
being made before the prisoner was removed  
from the stable a memorandum in writing  
of some confederate transaction was found  
in the loft on the wooden plate ~~as was~~ which  
proved to have been made by said Sprinkel  
as was also found soon thereafter a  
small pocket-book in the grass on the  
outside of the stable and close thereto  
containing a discolored silver ten cent  
piece which the said Sprinkel recognized  
although the same was not marked in any other way <sup>than by</sup>  
as his but the pocket-book containing same  
did not belong to him. The said Sprinkel  
and those with him on approaching the  
prisoner and his two comrades at the stable  
did not formally make known to him or  
them the charge but gave them to understand  
they were to be arrested on some charge  
and of his comrades made an effort  
to run or walk rapidly towards them

Felix Coleman



turnpike but was stopped, the  
prisoner however made no such effort.  
After prisoner together with his two  
comrades had been arrested and  
carried before a Justice for commitment  
they were searched and upon the person  
of one of them (but whether <sup>or does the witness remember</sup> the prisoner  
does not appear) was found a piece  
of paper in the words and figures  
following to wit (here insert the same) and  
also a piece of candle and some matches  
The paper last of oursaid was recognised  
by the witness Nelson Sprinkel as his  
and as having been in his pocket book  
prior to the 13<sup>th</sup> June 1866

An hour or more after the prisoner  
had been arrested a further search  
was made in the stable where the  
prisoner was when arrested and  
there was then found in the loft between  
the hay and the weatherboarding a large  
cavalry pistol which was proved to have  
been on the day preceding the larceny  
charged to wit on the 13<sup>th</sup> June 1866 in the  
possession of the prisoner <sup>he offering to sell the same</sup> and claimed  
~~by him as his property~~ and about four  
feet from where the pistol was  
found there was also found the  
pocketbook of the witness Nelson  
Sprinkel containing twenty dollars  
and also his watch ~~charged~~ in  
the indictment to have been stolen



by the prisoner. The prisoner on being informed that the pistol had been found disclaimed any ownership of same. The prisoner as well as his comrades denied on all occasions after being charged therewith all knowledge thereof or participation in the crime alleged in the indictment against them. The pocketbook and watch aforesaid when found were tied up in a wither of hay and were some distance down under the hay.

The prisoner having no evidence to offer the foregoing are all the facts proved at the trial and as such are certified

John D. Harris Seal

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It was also proven that the three negroes in the indictment charged had been seen at the well alluded to three or four times during the day preceding the night on which the entrance was effected into the house of Chelron Sprinkle and that they had been seen lying upon a pile of planks close to said well between the hours of 9 and 10 P.M. on the night referred to.



*[Faint, mirrored handwriting is visible across the entire page, appearing as bleed-through from the reverse side. The text is largely illegible due to fading and the double-sided nature of the document.]*



The Commonwealth of Virginia

To the Sheriff of Rockingham County Greeting

We command you cause to come before the Circuit Court of Rockingham on the first day of the next term thereof. Twenty four good and lawful freeholders of your County, residing as near as may be from the place where the felony was committed, of which George Thompson is accused, to recognize on their oaths whether the aforesaid George Thompson be guilty of the felony aforesaid or not

And have them there the names of the said freeholders on this Writ. Witness S W Gamblee Clerk of the County, Court of Rockingham at the Court house this 21<sup>st</sup> day of September 1866. Anno in the 91 year of the Commonwealth

S W Gamblee



Mosley

Permanet

Thompson

Vernie  
Haines

Received Oct. 7<sup>th</sup> 1866. by Summaring. John P. Brock.  
Anthony Rhodes Jr. John Mayers. George Ashenfelter.  
David Stewart. J. A. Mitchell. David Roney. Com.  
Levin M. Lane & Ephraim. John Howaller. Com.  
Minnie Halsey Alger. So. B. Butler. Isaac  
Miller. David Bowman. Isaac John. John W.  
Driver John Bowman Jr. M. H. Lee. Wm. H.  
Abbott. Wm. Thomas John C. Driver. Robert.  
J. Hayes George Lee.

Henry Jeff.

Sept. 8. N. Allalough S. H. C.



The Commonwealth of Virginia

To the Sheriff of Rockingham County, Greeting.

We command you that you ~~cause~~ to come before the Circuit Court of Rockingham County on the first day of the next term thereof Twenty four good and lawful freeholders of your County, residing as remote as may be from the place where the felony of which Augustus Mosely is accused, <sup>was committed</sup> to recognize on their oaths whether the aforesaid Augustus Mosely be guilty of the felony aforesaid or not And have then there the names of the said freeholders and this writ Witness L W Gamble Clerk of the County Court of Rockingham at the Court house this 20 day of September 1805 and in the 91<sup>st</sup> year of the Commonwealth

L W Gamble



Executive Ct. 9<sup>th</sup> 1866, by Summoning Letter  
Stiecker. Reuben Ziehl. Samuel Driver. William  
M. Silbert. Abraham Ameguetreat. George Lee. Boyan.  
Davies. M. Buffman. P. A. Whitlock. Geo. K. Miller.  
W. B. Brewer. J. P. Miller. James D. Sackin. John Leach.  
Jacob J. Thomas. Silas Lacey. Daniel Goalkery. Saml. Fortwiler.  
Abraham Garley. Daniel Buffman. Augustine Hollas. Thomsen  
Thomas. Saml. Minnick. Henry Empenwiller. Frank Kueghe.

to receive  
S. R. Hildings

Commeth

C. J. Verrie  
Moseley, Johnson & Thompson



The Commonwealth of Virginia

To the Sheriff of Rockingham County Greeting.

We command you that you cause to come before the Circuit Court of Rockingham County on the first day of the next term thereof Twenty four good and lawful freeholders of your County, residing as remote as may be from the place where the felony of which William Johnson <sup>was committed</sup> is accused, to recognize on their oaths whether the aforesaid William Johnson be guilty of the felony aforesaid or not.

And have them there the names of the said freeholders and this writ. Witness S W Gamble Clerk of the County Court of Rockingham at the Court House this 20<sup>th</sup> day of September 1866 and in the 9<sup>th</sup> year of the Commonwealth.

S W Gamble



Acorn Tree on Greenock Rocks. John Monaghan, Geo. Reddyer.  
Henry Mitchell. John Gustafson, John Carpenter, A. R. Blackwell.  
Wm. Howalter, A. McHenry, Robinson Howalter, David Stenger.  
Lewis Pence, Miriam Coffman, David Thompson Henry  
Cauly. Wm. Treutner, E. J. Huffman, A. J. Whitman,  
Emmanuel Adler, Peter White, Joseph White Abraham  
Shank, John M. Wie, and David Sage. C. Price 1894.

J. R. Allsopp 1894

Commence

J. Verrill  
Johnson

Moulton



**The Commonwealth of Virginia,**

TO THE SHERIFF OF ROCKINGHAM COUNTY, GREETING:

You are hereby commanded to summon *W<sup>m</sup> S Beathwaite*

*S. M Bowman and Charles A Sprinkle*

to appear before the Justices of our Court of Rockingham county, at the Court-House,  
on the *1<sup>st</sup>* day of *June* 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*

*vs*

*Augustus Mosley &*

*And this you shall in no wise omit under the Penalty of \$100 each*

And have then there this writ. Witness, LITTLETON W. GAMBILL, Clerk of our said  
Court, at the Court-House, the *15<sup>th</sup>* day of *June* 1866, and in the  
*90<sup>th</sup>* year of the Commonwealth.

*LW Gambill*



Executed June 18 1838

J. P. Weaver

Court  
in 3<sup>rd</sup> Spa  
Hosley



Rockingham County, to wit:-

Be it remembered, that on the 15th day of June, 1866, Nelson Sprinkel, B. G. Patterson, A. St. C. Sprinkel, George Logan, J. G. Sprinkel, Henry Sprinkel, James Gordon, C. C. Clapp, S. Kelly, and Sicut. E. Scott, white persons, and Abraham Spencer, Willis Cave, jr. and Nelson Bruffy, negroes, of the said County, personally appeared before me Wm. M. K. Hartmann, a Justice of the said County, at the said County, and each of them separately and individually, and by and for themselves, acknowledged themselves separately and individually to be indebted to the Commonwealth of Virginia, in the sum of One Hundred Dollars, lawful money of the United States, to be levied of each of their goods and chattels, lands and tenements, to the use of the Commonwealth, if the said Nelson Sprinkel, B. G. Patterson, A. St. C. Sprinkel, George Logan, J. G. Sprinkel, Henry Sprinkel, James Gordon, C. C. Clapp, Sicut. E. Scott, - Abraham Spencer, Willis Cave, jr. or Nelson Bruffy, shall make default in the performance of the condition underwritten.

The condition of this recognizance is such is such, that if the above bound Nelson Sprinkel, B. G. Patterson, A. St. C. Sprinkel, George Logan, J. G. Sprinkel, Henry Sprinkel, James Gordon, C. C. Clapp, Sicut. E. Scott, Abraham Spencer, Willis Cave, jr. and Nelson Bruffy, 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 w-



vidence in behalf of the Commonwealth a-  
gainst Augustus Moseley, William Johnson,  
and George Thompson, who stand charged with  
burglary and felony by them committed, in this,  
that they, burglariously entered the dwelling-  
house of Nelson Spunkel, and feloniously did  
take, steal and carry away, one Silver Watch,  
Pocket Book, money, & papers, of him the said  
Nelson Spunkel, - and do not depart thence  
without the leave of the said Court, then this  
recognizance to be void, otherwise to remain  
in full force and virtue.

Taken and acknowledged  
before me, in the said County, the  
day and year first above written. }

Wm. McK. Westmann, J.P.

Augustus Moseley

George Thompson

William Johnson

Nelson Spunkel

George Thompson

William Johnson



Rockingham County, to wit:

To the Clerk of the County Court of said County:  
I, Wm. McK. Hartmann, a Justice of the said County,  
do hereby certify, that I have this day committed  
Augustus Mosely, William Johnson and George  
Thompson, negroes, to the jail of said County,  
that they may be examined before the County  
Court of the said County, for a Burglary and  
Felony by them committed, in this, that they did,  
on the 14th day of June, 1866, in the night time,  
in the said County, burglariously enter the dwell-  
ing-house of one Nelson Sprunkel, and did  
feloniously take, steal and carry away one sil-  
ver Watch of the value of \$50, and one Pock-  
et Book containing \$30 or \$40 in National Currency,  
five cents and ten cents in silver coin, and  
some valuable private papers, all the property  
of him the said Nelson Sprunkel. Given under  
my hand this 15th day of June, in the year 1866.

Wm. McK. Hartmann, J.P.



Comment

in J Papers

Mosely, Johnson & Thompson

1866 June remanded for  
trial before Circuit Court  
Oct. Term indicted found  
Prisoners arraigned &  
Pecaded Not guilty and  
Jury & verdicts guilty

Mosely's costs \$ 97.00

Johnson " \$ 98.20

Thompson \$ 98.70