

Rockingham County to wit -
To the Sheriff of the said County

Whereas Michael Bailey of the County of
Rockingham labourer was this day committed to the jail of
this County by my warrant for feloniously and unlawfully
stabbing with a knife and maiming a certain Child of the
name of Jonathan Roach (being the son of ~~the before named~~
Jacob Roach and Elizabeth Roach) with intention in so doing
to maim, disable or kill: And it appearing to me
that the felonious offence 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 19th day of the present month
and then and there to hold a court for the examination
of the fact with which the said Michael Bailey stands
charged, and for such other purposes concerning the pre-
mises as is by law required and directed; and that you
have then there this warrant. Given under my
hand and seal this 11th day of July 1830

Geo W Kemp Esq

Commonwealth
of Massachusetts
Warrant
Mr. Bailey Esq for
Sum 9 Court

Executed on
A Rutherford Esq
Graves, Peachy Harrison
Rev P Fletcher and
Waterman, Jos. Klein
John D. Rice Jacob
Barndtson Peter
Turley & Mr. H. Davis
E. H. Smith Jr
I. Chapman
M. C.

Commonwealth of Virginia

Rockingham County to wit

You are hereby commanded to summon
John McCawley, Joshua Rose and Sime Rose
to appear before the Justices of our said County at
the court house of said County on Monday the
19th day of the present month to testify and the
truth to say in behalf of the Commonwealth
against Michael Bailey, and that they
shall in no wise omit, under the penalty
prescribed by law. & then & there make return
how you have executed this warrant Given
under my hand this 14th day of July 1830

Wm Williams Sheriff and

Geo W Kempner

July 17th 1830. Executed off Larchlea Beau A copy
left at Anna Bearrs Fathers where she has his home
A copy left of at John M. Calley's Fathers I have
she has his home Wm Glasper Court

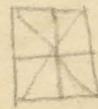
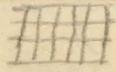
Rockingham County to wit
Memorandum, that upon this 11th day of July in the
year 1830 Jacob Roach and Elizabeth Roach and Justis Roach
of the county aforesaid, came before me Geo W Kempner a Justice
of the Peace for the county aforesaid and each of them
in his proper person acknowledged himself indebted to
John Floyd Esquire Governor of Chief Magistrate of the
Commonwealth of Virginia, and his Successors in the sum of
fifty Dollars to be liquid severally of each of their goods and
chattels, lands and tenements respectively to the use of
the said Commonwealth upon condition, that if either
of them do personally appear before the Commonwealth
Justices of the Peace for the said County of Rockingham on
the 19th day of the present month at a court by them to be
held, at the court house of the said County for the examina-
tion of Michael Bailey, &c and do then & there on behalf of
the said Commonwealth give such evidence as he knoweth
against the said Michael Bailey concerning the matters
wherewith he is charged, and that neither he nor either of
them do depart without leave of said Court, then this
recognition to be void. else to remain in full force

Acknowledged before me this
11th day of July 1830

Geo W Kempner

Off Hand

args



Count

M. Bailey & Paper

Court held at the
19th of July, 1830, and prisoners
sent out for further trial

Commencement

by Dr.

Beagony
Wadsworth

Death of M'k' Baile Charged with feloniously stabbing a
Chew of Jacob Roach, the name of Jonathan Roach, —

Elyzabth Roach sworn saith, that, on the 5th of July 1830, the
Prisoner came to her house, and after ~~six~~ staying in the house
for some time, took off his jacket and came back ^{out of his jacket and came back}, and
went out, and took out his gun, and
right said, with her Husband Jacob Roach, that they, even at
length, were separated, and her Husband got into the house —
and after some time got him ^{out of the house another night} ~~out of the house another~~, and after some time, the actors
took place between them, and then the Servants of the prisoner
to start home, and after a short time, he the prisoner returned, and
the house was closed, and the Wifes & her daughter held the
door, but the Prisoner broke open the door and with a drawn
Knife, and as he entered the house, made a thrust at the her
Husband, and cut him slightly or the hip or side, and then
soon he would kill all of them and struck ^{apparently at} her
daughter, who had the child in her arms, and stated the
child, across the breast, the Wifes said that her husband
brought whisky home with him, and that they all drank whisky,
and she the wifes took 2 or 3 drams ~~herself~~, herself, — but was
in that situation as to recollect every thing that took place, the
Wifes thinks that the prisoner did not want to kill the child
particularly, but thinks his intention was to kill ~~all~~ ⁱⁿ the

hour, — the Wetup stated that her husband, did not strike the
prisoners in any of the fights they had,

fact Room, on the day the fight took place which was
the 6th this Month the prisoners at the bar and for McCaulay
came to his house, and asked the Wetup to bring them some
Whisky, — whereupon the prisoners sent for a guard, McCaulay for
I went to the Wetup and sent, — that the the Wetup went to Col.
Lewis, and brought the whisky as above mentioned, and after it was
drunk, the prisoners & McCaulay drank one pint, and commenced
on his the said Prisoner's guard, — and after some time he saw he
would whip the Wetup, they were separated, and the prisoners
started to go home, and after a little while return, and broke open
the door, and made a stroke at the Wetup ~~and~~ with a
draw knife, and struck him on the hip bone, which cut
through his West coat, pantaloons & shirt, — at this time they were
separated. ~~and~~ the agitators of two of the prisoners' Sisters, — and
when he was out, they endeavored to get him home, — but he return
and broke open the door, with his knife, and stated him as
afraid, and immediately he stated the Chela which was in

the arms of his daughter, — declaring that he would kill all
in the house,

= Dennis Peen being sworn, saith, that she heard the prisoner, heard
the prisoner say that he would go into the house, and that he
had a knife in his hand, and that he said he would kill
the people in the house, — that she believes he did get into the
house for she heard a great Noise at the door and she has
a dream in the house &c.

= Julian Roach, being sworn saith that at the time of the
~~affair~~, the prisoner, broke into her father's house, and in (as she
believes) attempted to stab her, stabb'd the Child, ~~and~~ what was
in her arms and cut it across the breast &c.

= Joshua Peen being sworn saith that on 6th of this Month, that
as he came near the house of Jacob Roach, he hears some quarreling
that when he gave i sight he saw the prisoner at the bar, with
Sam Neys and his two Sisters, they appears to be taking away the
prisoner, that he saw he would get into the house, and ~~sundown~~
he would kill all in the house, the witness said he saw a
knife in the prisoner's hand, who appears to be in a great rage
& he heard some person in the house beg the prisoner, to go home.

Elizabeth Roach

Sam'l T. Liver drew saith, that about the 6th July, came to the
house of Mrs. Wallop with her child, who she said was cut by
the Puritan at the bar, upon an examination the woman he
found, that the knife had penetrated at the left breast, and
extended across the breast to the shoulder blade near the shoulder
~~that it was~~ ~~accurred~~ ~~of~~ ~~and~~ ~~a~~ stated that the wound was
so deep as to have passed ~~so~~ ~~near~~ or on the breast board.

Rockingham County, Va.

Whereas Elizabeth Roach (the wife of Jacob Roach, laborer) of the county aforesaid hath this day given information upon oath to the subscriber, a Justice of the peace for the county of Rockingham in the state of Virginia, that on the sixth day of July 1830 at the house of Jacob Roach in the county aforesaid, a certain Michael Bayley, of the county aforesaid did feloniously and unlawfully ^{stab with a knife and} maim a certain child of the name of Jonathan Roach, (being the son of the beforenamed Jacob Roach & Elizabeth Roach) with intention in so doing to maim, disable, or kill; These, are therefore, in the name of the Commonwealth, to require you to apprehend the said Michael Bayley, and bring him before me, or some other Justice of the peace for the county of Rockingham aforesaid to answer the premises; and further to be dealt with according to law. — Given under my hand & seal this 8th July 1830, in the county aforesaid.

J. Lewis, Esq.

To William Harper Jr. Constable {

To Wm Hanks Jr
Commonwealth vs. Walker in behalf
of the Commonwealth in the within case, for
-cor. Rock Elizabeth Roach & Julia Roach

Halligan
July 6. 1830

Commonwealth

vs. Z. Warren
Michael Bayley

Entered into the office of the

Commonwealth of Massachusetts
on the day of July 6. 1830.