

Prince William County to wit
In the County Court of the said county

The jurors of the Commonwealth of Virginia in and for the body of the County of Prince William and now attending the said court upon their oath present that Charles Barbour on the 15th day of August, one thousand eight hundred and seventy one in the county aforesaid in and upon one John Thomas feloniously, willfully and of his malice aforethought did make an assault; and that the said Charles Barbour with a certain piece of timber, to wit a piece of fence rail, in his hands then and there held, the said John Thomas in and upon the head of him the said John Thomas then and there feloniously willfully and of his malice aforethought did strike and hit; giving to the said John Thomas then and there with the piece of timber aforesaid; to wit the piece of fence rail aforesaid in and upon the aforesaid head of him the said John Thomas divers mortal wound to wit two mortal wounds, of which said mortal wounds he the said John Thomas then and there instantly died.

And so the jurors aforesaid, upon their oath aforesaid, do say that the said Charles Barbour him the said John Thomas in the manner and form aforesaid feloniously willfully and of his malice aforethought did kill and murder against the peace and dignity of the Commonwealth of Virginia.

And the jurors aforesaid, upon their oath aforesaid do farther present, that Charles Barbour on the 15th day of August one thousand eight hundred and seventy one, in the county aforesaid in and upon one John Thomas feloniously willfully and of his malice aforethought did make an assault; and that the said Charles Barbour with a certain piece of timber to wit a piece of fence rail in his hands then and there held, the said John Thomas in and upon the head of him the said John Thomas, then and there feloniously willfully and of his malice aforethought did strike and hit; giving to the said John Thomas then and there with the piece of timber aforesaid to wit the piece of fence rail aforesaid, in and upon the aforesaid head of him the said John Thomas divers mortal wound to wit two mortal wounds of which said mortal wounds he the said John Thomas, from about 3 o'clock in the evening on the said 15th day of August in the year aforesaid to about ½ past 3 o'clock in the evening of the said 15th day of August in the year aforesaid, in the county aforesaid did languish and languishing did live; on which said 15th day of August in the year 1871. The said John Thomas in the county aforesaid of the mortal wound died; and so the jurors aforesaid upon their oath aforesaid do say that the said Charles Barbour him the said John Thomas in the manner and form aforesaid feloniously willfully and of his malice aforethought did kill and murder against the peace and dignity of the Commonwealth of Virginia.

James F. Clark
Attorney for the Commonwealth

Witness
Wilmer McLean
Geo. William Mathers

We the jury find the prisoner guilty of murder in the second degree and fix his term of imprisonment in the penitentiary for eighteen years.

B. F. Manuel
Foreman