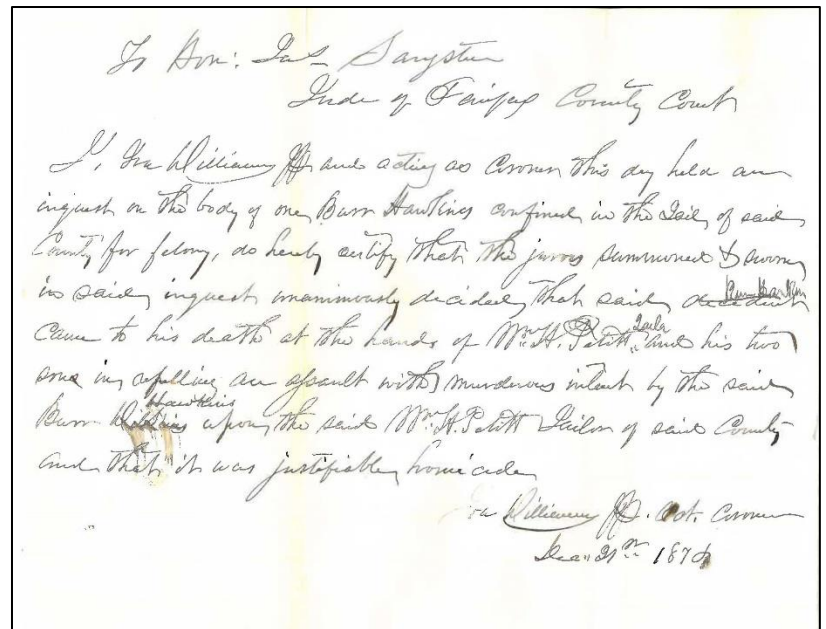


FOUND IN THE ARCHIVES, no. 75 – June 2022
Coroner's Inquest, 1874
Fairfax Circuit Court Historic Records Center



Happy Summer, and welcome back to *Found in the Archives*! The Historic Records Center is pleased to remind you that we are once again taking walk-in researchers. We are also excited to announce we have resumed tours of the Historic Courthouse every Friday at 3 pm, and those who are interested can meet at the green courthouse doors where we will begin the tour. Our guided tours are a wonderful, local summer activity for kids out of school for the Summer! In this month's edition of *Found in the Archives* we discuss a rather dramatic Coroner's Inquest found in the Historic Records Center's collection.

According to the 1873 *Code of Virginia*, the Court was required to call for a Coroner's Inquest if a body was found and it appeared the death may have been caused by violence. For a Coroner's Inquest, the Court would enlist the help of a twelve-person jury to determine the "cause of death." On December 21, 1874, a jury was called to the Fairfax County Jail, located behind the 1799 Courthouse, to do just that. Burr Hawkins, an inmate at the jail, had died, and it was the job of a Coroner and the jury to view the body, hear any witness testimonies, and decide what happened.

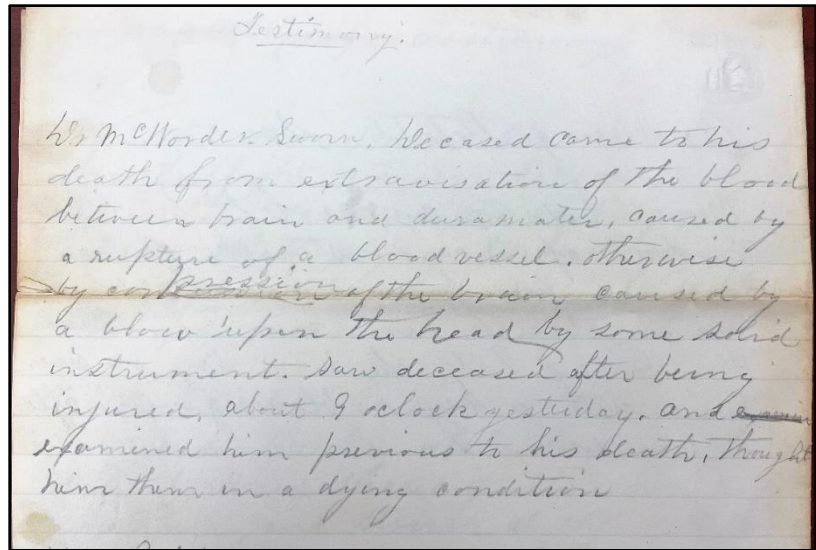


Decree re: Burr Hawkins' cause of death, Fairfax
Circuit Court Historic Records Center, CI-022

According to the report by the Acting Coroner of the time, the jury determined Burr Hawkins "came to his death at the hands of William H. Pettitt, the Fairfax Jailor, and his two sons in repelling an assault with murderous intent...it was a justifiable homicide." What could have

happened that lead to a justified homicide in the county jail? The primary resource materials of the court record report of a disgruntled inmate, an attempted escape, and a tragic death.

This particular inquest includes sworn testimonies of seven witnesses, all of whom gave accounts of either the events leading up to Hawkins' eventual death, or Hawkins' physical condition after the incident. The first testimony given was that of Dr. McWorden, who performed a medical exam on Hawkins. Dr. McWorden's testimony stated that Hawkins died from "compression of the brain caused by a blow upon the



Dr. McWorden's testimony, Fairfax Circuit Court Historic Records Center, CI-022

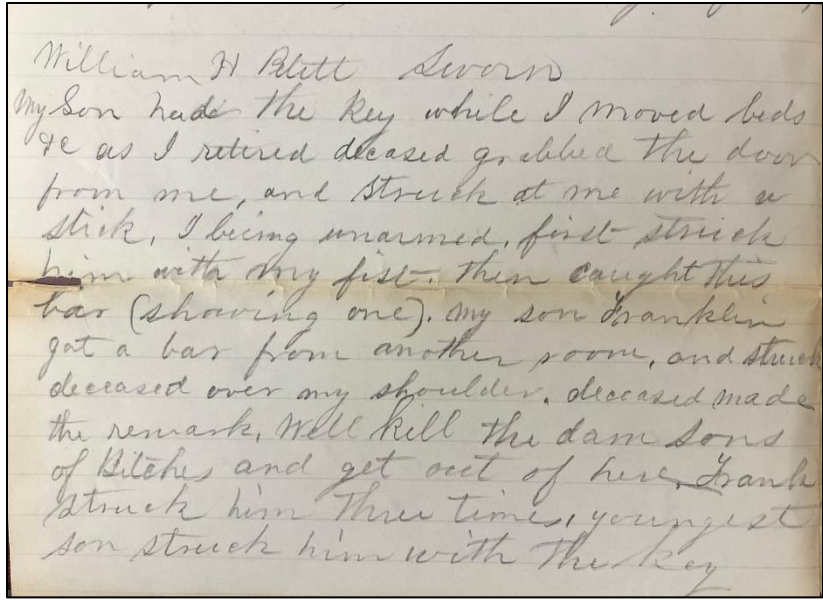
head by some solid instrument." The testimony also stated that Dr. McWorden had examined Hawkins after his injuries, and the doctor described him as being "in a dying condition."



Fairfax County Jail, circa 1863, courtesy of the Virginia Room, Fairfax County Public Library

The events described in this coroner's inquest took place at the Fairfax County Jail, built about 1805. The photo at left supposedly depicts the jail in 1863, during the Union Army encampment of the town of Providence (more colloquially known at the time as Fairfax Court House). This is the only known photograph of the 1805 jail, and while it has not been verified, the building in this photograph matches the proportions and features of the jail ordered to be built by the Fairfax County justices in the early 1800s. The 1805 jail stood until 1884, when it was burned down by two prisoners in an escape attempt.

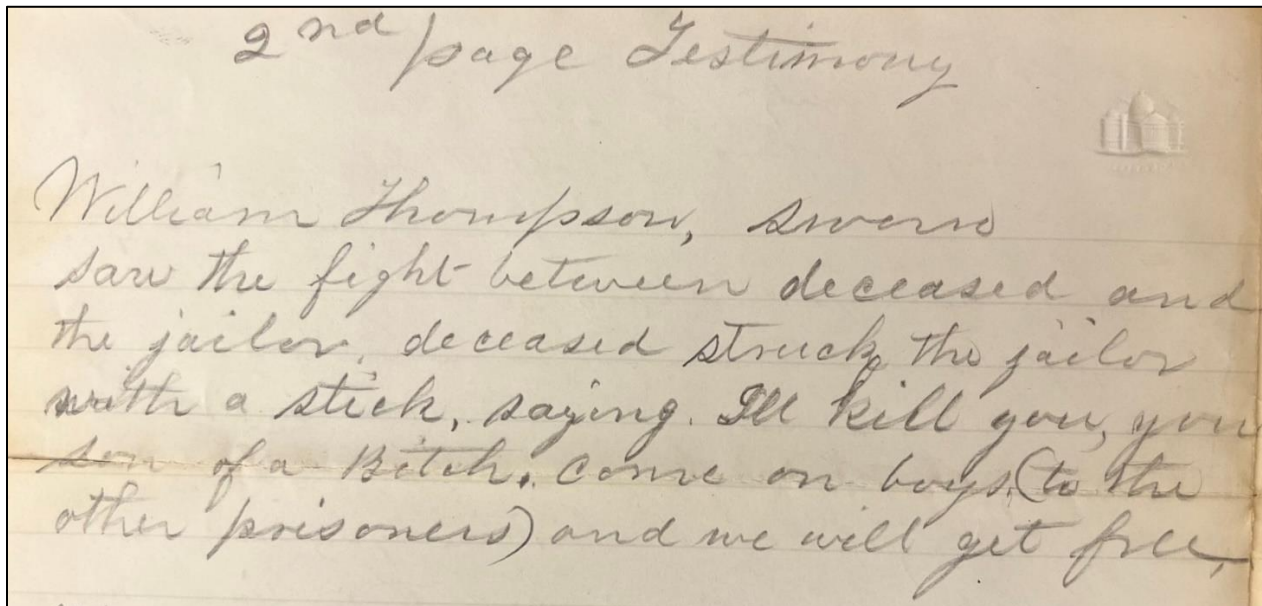
William H. Pettitt, the Jailer for Fairfax County at the time, gave his firsthand account of what he experienced, and how Hawkins was involved. According to Pettitt's testimony, he was unarmed and moving beds in the jail when Hawkins "grabbed the door from me, and struck at me with a stick," after which Pettitt fought back with his fists. Pettitt then said that his two sons, who worked in the jail with him, came to his aid

A photograph of a handwritten document on lined paper. The text is written in cursive and reads: "William H Pettitt Sworns My Son had the Key while I moved beds He as I retired deceased grabbed the door from me, and struck at me with a stick, I being unarmed, first struck him with my fist. Then caught this bar (showing one). My son Franklin got a bar from another room, and struck deceased over my shoulder. deceased made the remark, Well kill the dam sons of Bitches and get out of here. Frank struck him three times, youngest son struck him with the Key".

William H. Pettitt's testimony, Fairfax Circuit Court Historic Records Center, CI-022

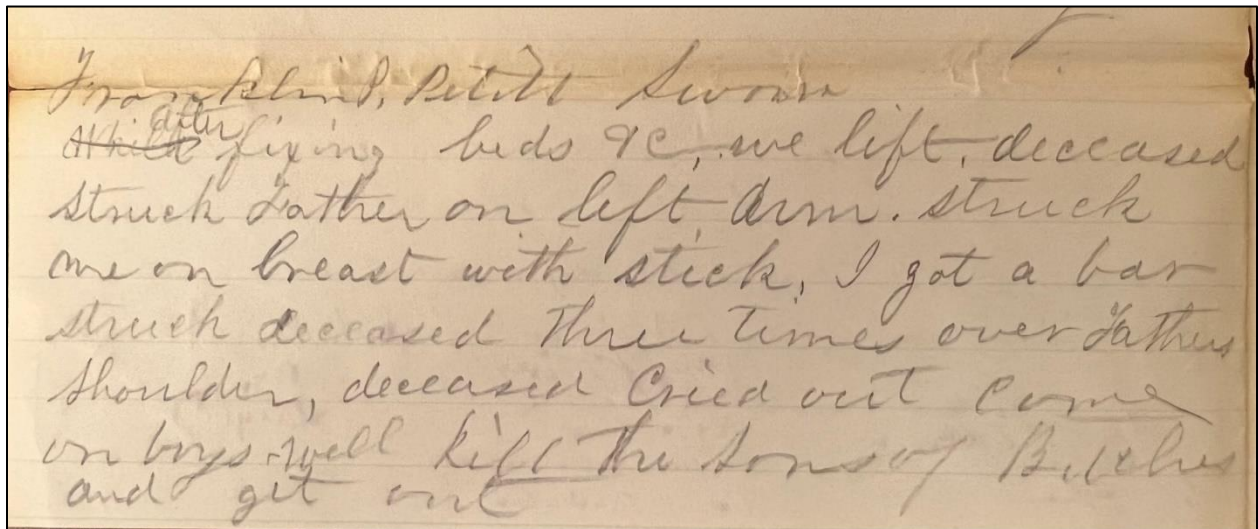
and began hitting Hawkins with whatever object they could grab. This was when, according to Pettitt, Hawkins began yelling for the other inmates to join him, so they could escape.

The other testimonies with this Inquest corroborate Pettitt's version of events, each of them saying that Hawkins first attacked Pettitt, and that he shouted obscenities in attempt to get the other inmates to kill Pettitt and escape.

A photograph of a handwritten document on lined paper. The text is written in cursive and reads: "2nd page Testimony William Thompson, Sworns saw the fight between deceased and the jailor, deceased struck the jailor with a stick, saying, Ill kill you, you son of a Bitch, come on boys, (to the other prisoners) and we will get free,". There is a small circular stamp in the upper right corner of the page.

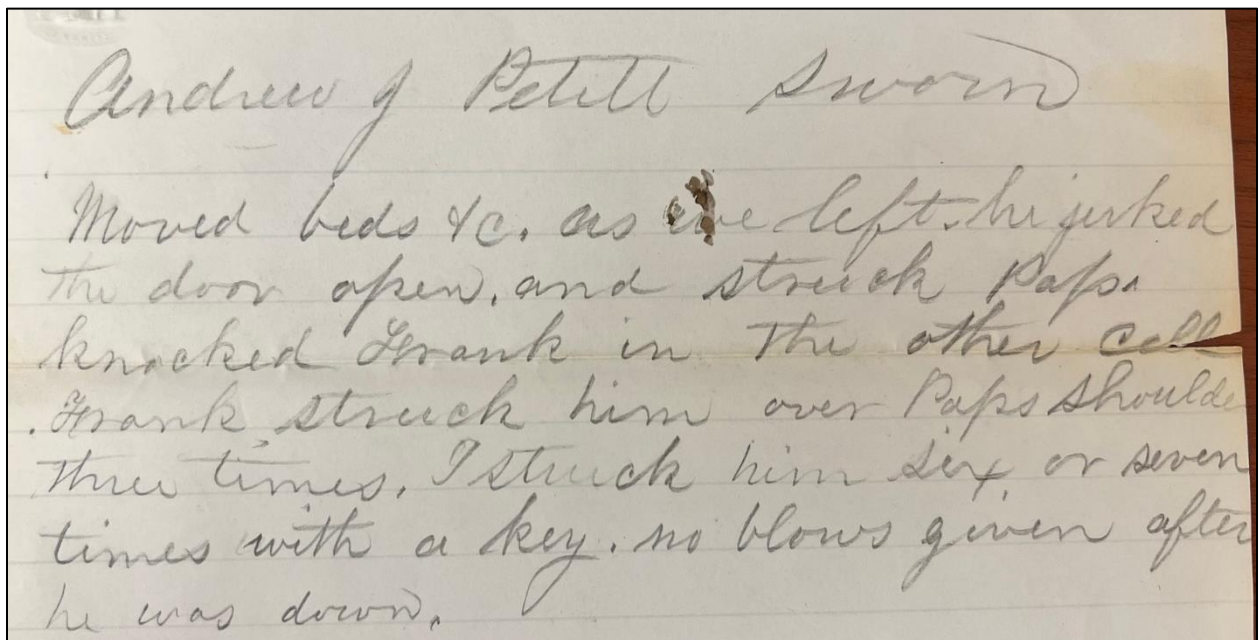
William Thompson (prisoner) testimony, Fairfax Circuit Court Historic Records Center, CI-022

Each of Pettitt's sons also testified that Hawkins struck their father, and they began hitting Hawkins in his defense.



Franklin P. Pettitt Sworn
After fixing beds &c, we left, deceased
struck father on left arm. struck
me on breast with stick, I got a bar
struck deceased three times over father's
shoulder, deceased cried out come
on boys well left the sons of Bueches
and get out

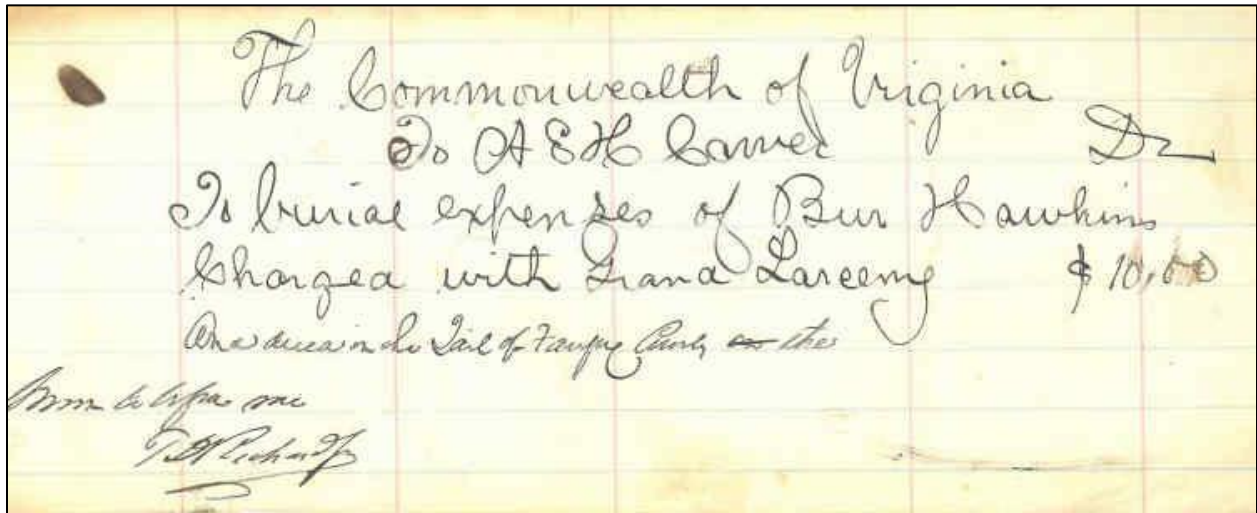
Franklin P. Pettitt's testimony, Fairfax Circuit Court Historic Records Center, CI-022



Andrew J. Pettitt Sworn
Moved beds &c, as we left. he jerked
the door open, and struck Paps
knocked Frank in the other cell
Frank struck him over Paps shoulder
three times, I struck him six or seven
times with a key. no blows given after
he was down.

Andrew J. Pettitt's testimony, Fairfax Circuit Court Historic Records Center, CI-022

While tragically, Hawkins died in the custody of the Fairfax County jailor, the county covered his burial expenses. The undertaker, A. E. H. Carver, buried Burr Hawkins, perhaps in the City of Fairfax Cemetery, as the Carver family undertaking business operated in the town of Fairfax Court House. However, no record of Hawkins' place of burial exists.



Carver, A. E. H, account for burial expenses, Fairfax Circuit Court Historic Records Center, TP 1875-290

While not all Inquests are as detailed as this one, or result from a jailbreak, our court records are a source for thrilling history in unexpected places.

For more information on these and other records held at the Fairfax Circuit Court Historic Records Center, please call 703-246-4168 or email CCRHistoricRecords@fairfaxcounty.gov.

At this time, the Historic Records Center is open to both walk-ins and appointments. You can make a research appointment by calling 703-246-4168.

Tours of the 1799 Historic Fairfax Courthouse are given every Friday at 3 pm. Please meet Historic Records Center staff at the green doors of the courthouse for the start of the tour.

Sign up for *Found in the Archives*, the monthly newsletter of the HRC: <https://www.fairfaxcounty.gov/circuit/historic-records-center>