

Liber P. R.

Sedent { Govr  
Secretary.      called to the barre John Elkin, who held  
vp his hand, & was arraigned of the  
felony & murther wherof he was indicted. to his arraigm<sup>t</sup> he  
pleaded not guilty & for triall putt himselfe vpon God & his  
country.

Then the sheriff returned his writt, & were impanelled,  
& sworne (the prisoner making no challenge to any of them.)

david whitcliff	robert Kedger	Rob <sup>t</sup> nicolls	Joseph Edlo
George Pye	william Asiter	william hardige	Johnhalfhead
Arthur le hay	xpofer Carnoll	william hookins	Gerrard fford.

And his Lo<sup>ps</sup> Attorney gave in evidence the examination of John  
Elkin, signed w<sup>th</sup> his owne hand, wherin he confessed that he  
killed the Indian, & related the manner of it. and he confessed  
the said examina<sup>o</sup>n to be true, & that it was signed by his owne  
hand.

And the Jury returned, not guilty. but explaining them-  
selves that they delivered that verdict because they vnderstood  
the last not to have beene committed ags<sup>t</sup> his Lo<sup>ps</sup> peace or the  
kings, because the party was a pagan, & because they had no  
president in the neighbour colony of virginea, to make such  
facts murther &c. the Gov<sup>r</sup> satisfied them that those Indians  
were in the peace of the king & his Lo<sup>p</sup> & that they ought  
not to take notice of what other colonies did, but of the Law  
of England, &c. and therevpon dismissed them to consider  
better of it.

And then they returned, that they found him guilty of  
murther in his owne defence. and being told that this implied  
a contradiction they returned to consider better of it: and then  
they returned for their verdict, that they found that he killed  
the Indian in his owne defence.

And the Gov<sup>r</sup> willed that the verdict be not entred as a  
verdict, but that another Jury be charged to enquire & try by  
the same evidence.

hangat Baker, Peter macrill, & Thomas Pasmore, returned  
by the sheriff, & not appearing vpon call to goe vpon the Jury,  
were fined by the Court 100<sup>l</sup> tob.

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ffbruary 7<sup>th</sup> John hamton demandeth of the estate of  
John Angud deceased 300<sup>l</sup> tob for a dogg lent vnto him when  
he went to the sesquihanowes

8. Rob<sup>t</sup> nicolls demandeth of John wayvill 5000<sup>l</sup> tob, due  
by accompt.

warr<sup>t</sup> to warne def<sup>t</sup> to answeare to morrow, vpon pill iudgm<sup>t</sup>  
warr<sup>t</sup> to warne Philip white, Simon Richardson, & Richard  
hills to testifie at pill.