

“one other mortall wound in the throate of the depth of three inches and breadth of one inch to the said william Price did give soe that the said william Price of the last wound had dyed if he had not dyed of the former wound”. The jury brought in this rather verbose verdict “That Walter Pake is Guilty of the death of Will^m Price by wounding him in severall places of the body whereof hee dyed—That Walter Pake was drunk and did not know what he did att the time of Committing the fact aforesaid—Therefore if the Court are of Judgm^t that it was murder, Then the Jury doe finde it murder, But if not then the Jury doe finde it manslaughter” . . . “The whole Bench then gave their Judgm^t that the said walter Pake now Prisoner att the Barr is Guilty of Murder”. That the murderer was drunk when he committed the crime does not seem to have much influenced the jury, and the Court, not at all. Asked whether he had anything to say after the judge passed sentence, he desired that he might suffer death before his own house where he had committed the murder. The Court granted this request and ordered his execution at the hands of Pope Alvey, then apparently the “general hangman”. Civil suits against Pake, one involving a horse trade and another a suit for debt, were filed at this same session at which he was being tried for murder, and were quashed, the court refusing to admit them until the criminal charges against him had been answered. It also appears that Pake’s lands were forfeited to the Lord Proprietary and soon afterwards sold, as a confession of judgment entered at the April, 1670, court shows that a certain Thomas Cosden, inn-keeper, in February 1668/9, less than two months after Pake’s execution, leased at New Town from Governor Charles Calvert the former plantation of Pake on Bretton’s Bay (pp. 352, 354-6, 363-4, 380, 546).

There are a few interesting sidelights in connection with Pake, the murderer, Price, the victim, and Alvey, the hangman. Pake seems to have been living in 1666 at New Town on Bretton’s Bay where his inn was doubtless located. His extraordinary choice of the place for his execution, in front of the house where he committed the crime, may have been the result of remorse. William Price, the murdered man, a former indentured servant, who had married his mistress Hannah Lee, was a most unsavory fellow who had spent much of his time in Maryland prisons and had been forbidden by the Court to interfere in his wife’s affairs. His death must have been a relief to the community. Pake had acted as attorney for Price in the St. Mary’s County Court in 1666 (p. 78). Much about him will be found in the records of the Charles County Court (*Arch. Md. LIII*; xlv) and in the earlier records of the Provincial Court (*ibid.*, XLIX, LI). Pope Alvey, designated by the Court to hang Pake, had himself a few years before been sentenced to death for murder, and had only escaped execution by claiming benefit of clergy. When tried again soon afterwards and once more been sentenced to hang for repeated convictions as a hogstealer, he was pardoned, and then seems to have been become “general hangman”, an office sometimes conferred upon a felon, who after sentence of death was imposed, had been pardoned (*Arch. Md. LI*; 214). This appears to have been the first hanging at which he was called upon to exercise the duties of his office.