

286. Jurors of the Jury afo. by the afo. Sheriff to this Imparuelled namely Tobias Bell, Abraham Woodward
John Marlow, George James Maguire, John Scott, Thomas Crisaway Watkins, Richard
Jane, Joseph Walker, Philip Perry, William Norton, George Lantham, and Basil Beal being
all, who to say the truth of the Premises being elicited Trier, and Jurors do say upon
their Oath that Negro James is guilty of the Premises above in the Indictment Specified
to him in form afo. imposed as by the same Indictment above against him it is Sup-
posed. Whereupon it is demanded of the said Negro James if any thing for himself he hath
or knoweth to say why the Court here of the Lord Proprietary to Judgment upon the Verdict
afo. to proceed ought, who nothing further does say besides what before he has said. Whereupon
all are unanimous the Premises by the Court here being seen and fully understood. It is ordi-
ned by the same Court that the said Negro James be carried to the Goal of the said Proprietary
under the custody of the Sheriff before named, from whence he came, and from thence to be
carried to the place of Execution and there to be hanged by the neck until he be dead, by the Court
here adjudged according to the Act of Assembly in such Cases late made and Provided by
the Justices of the Court here. Value the above said Negro to Fifty seven Pounds ten
Shillings Current Money.

In Testimony whereof the aforesaid is a true Copy of the Proceedings, I have
herunto set my hand and affixed the Publick Seal of the County afo. this second day of Septem-
ber in the year of our Lord Christ One Thousand seven hundred and Sixty five
Joseph Sim (Clerk of the Court)

The following is the Representation of Edmund Key Esq. Attorney General relative the convictions of
the above Negroes.

At the last Justice Georges County Court two Negro Men were indicted for breaking
an out-house and Stealing from thence a small Quantity of Bacon. The only Evidence
was against these two Men, which was a Negro who as he said was an accomplice, and stood
by while they committed the fact as a witness, from necessity made a Witness. Under a Trial of one of
them the Jurors for witness for him made an Objection to the testimony under the
Act of Assembly passed in 1751 folios 15, 16 and raised two Points upon which he prayed the
Court's Opinion. First that by that Act of Assembly the Evidence of one Slave, even when corroborated
by pregnant Circumstances was not sufficient in a Capital Case and Argued not only from the
Letter of the Law but also insisted that as the Credit of Slaves is totally taken away where Life or
Members is at Stake, by an Act in the Body of Laws folio 109 that Credit could not be restored
but by an express Law, and that the Act in 1751 is far from being so, and that where a Law
is Doubtful the Construction ought certainly to be in favour of Life. Secondly that upon a
Supposition that one Witness is sufficient when corroborated with pregnant Circumstances (yet
the Prisoner ought not to be convicted because there were no pregnant Circumstances
independant of the Negroes Testimony except that the Master of the House Mr. Howard
depended that it was broken open in the very manner that the Negro Witness said it was broke
open, a certain Quantity of Bacon stolen from there. The Court divided upon
both