

302

James Lee

At a court of oyer and terminer held for the county of Toton
on the 19 day of October 1802 for the trial of Charles a
negro man Slave the property of James Turner of Hallyea
County and state of N^o Carolina charged with having felonious-
ly broken open and entered the house of Wiggins Newton of the County
of Toton afores^d on the evening of the 2^d instant & therefrom
stealing sundry clothes to wit a coat waistcoat, shirt breeches

Pres^t Josiah Nick J^r Magistrate
Robt Mabry for Ruffin
& Wm^r Low J^r Sente

The prisoner was set to the bar by the Sheriff of this county
and charged with the felony aforesaid to which he plead not
guilty and Wiggins Newton a nituep being examined on behalf
of the Commonwealth and the prisoner heard by Counsel in his own
defence on consideration whereof and all the circumstances of the
case it is the opinion of the Court that the prisoner is guilty of
the theft aforesaid and the prisoner being asked what he had to
say why Sentence of death should not be passed on him
claimed the benefit of clergy which is granted him
whereupon the Court directed that the prisoner should be
burned in the hand which was accordingly executed by the
Shff in open Court and that the Secire 39 lashes on his
bare back well laid on and that the Shff see the same
performed which being done whereupon it is ordered that he
be discharged

Robt Mabry

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