

At a Court of Oyer and Terminer Summons and held for the County of Southampton on the 16th day of May 1824 for the trial of David Wallance charged with Burglary feloniously & feloniously breaking open and entering the Store house of David Wallance of the County in the 23rd of April last past about the hour of 8 O'clock of the same day and thereat feloniously Stealing, taking and carrying away from thence Bank notes, silver, goods and trunks containing linen and robes wearing apparel, the value of Eight thousand dollars the property of said David Wallance.

Present Benjamin Cobb, James D. Moberly, Benjamin Griffin, Clements Rockelle and William A. Everett. Esq.

The Court being then constituted the prisoner was set to the bar by the Sheriff of this County and whose custody he was therefore committed and charged with the felony aforesaid and being thereof arraigned and upon his arraignment pleaded not guilty. And thereupon divers witnesses were sworn and examined on behalf of the Commonwealth touching the premises to wit, Elizabeth Turner, of full age being sworn deponent and saith that on the Wednesday or Thursday night after the Felony aforesaid was committed, or the Wednesday or Thursday night thereafter, the prisoner at the bar came to the house of Miller Turner where this deponent then stayed and some other person with him the prisoner rode up in the yard and the other person who was not known stood at the stable. Dressed the prisoner then told this deponent that he wished her to buy him, which she refused saying she had not money sufficient, the prisoner replied he had money sufficient or knew where it was that he had two hundred and fifty dollars or three hundred dollars, and that John E. Martin had sent for her this deponent, that he had a handsome present for her, that she must meet him at Cape Gloucester where she went the Friday or Saturday following being the day appointed where she met with John E. Martin three runaway negroes who had three shirts, one pair of pale pantaloons and a pair of homespun socks or stockings, a large quantity of money and a great many papers and a quantity of goods tied up in bundles, a part of the money was silver in a bag about one foot long with its mouth twisted, and the balance in notes and some silver money in an old white hat: John E. Martin looked over the money and seeing a one hundred dollar note stamped with red ink on the back, he Martin observed that that was his which he put in a pocket book and put it in his pocket, and said that the prisoner was to have two hundred fifty or three hundred dollars. John E. Martin asked this deponent to go with him and carried her to the negro camp, and got something to eat and got her some, and then offered this deponent two twenty dollar notes and one five dollar note which this deponent refused to receive, he then told this deponent that if she ever told he would put her to death, and during the conversation the said Martin observed that he would the fire astonished them and that he had made a very long jump -

John M. Gurly of full age being sworn deponent and saith that on the night of the 23rd of April last past about seven O'clock the Store house of Mr David Wallance in the County of Southampton (where this deponent lodged at night) was broken open and upon examination he found that three trunks had been taken out