

of the prisoner. The deponent answered that he was the security to the note that this deponent then asked the prisoner why he asked that question. The prisoner then said that James Powell and wife was burnt up in his house with all his property except one trunk and one chest. This deponent then asked the prisoner to give some account of the occurrence. He said he knew nothing of it until the house was on fire. That the house was fired in the boxing and that he thought it was set on fire. That this deponent asked the prisoner if there had been any fire in that part of the house. The prisoner answered there had not been any in a month that he knew of.

Nancy Beale of full age being sworn deposes and swears that she was at the place where James Powell's house was burnt. & in walking in the garden saw the wrapper of the child of James Powell lying on a potato ridge.

Elizabeth Beale of full age being sworn deposes and swears that she happened at the place where James Powell's house was burnt. & in walking in the garden saw the wrapper of the child of James Powell lying in the garden which was the same wrapper which this deponent had seen the child of James Powell wear.

Alexander North of full age being sworn deposes and swears that he saw the prisoner at the bar at a preaching at Dixon Bapes since James Powell's house was burnt and saw him have 75 or 87 1/2 cents in silver.

Dixon Bap of full age being sworn deposes and swears that he saw the prisoner at the bar at a preaching at his house since James Powell's house was burnt and saw the prisoner at the bar have a small quantity of silver.

John Serous of full age being sworn deposes and swears that he heard the prisoner at the bar say if James Powell whipped him any more that he the prisoner would not live with him.

Miles a negro man slave the property of William Lawrence being charged and sworn swears that during the last fishing season he frequently heard the prisoner at the bar say that if James Powell whipped him that he would be damned if he, the prisoner, did not hit him.

The evidence on the part of the Commonwealth being closed and the prisoner being fully heard by counsel, the Court after hearing the testimony and all the circumstances of the case are unanimous in the opinion that the prisoner is guilty of the murder whereof he stands charged. Therefore it is considered by the Court that the prisoner be taken hence to the place from whence he came and from thence to the place of execution on Wednesday the 15th day of August next between the hours of 10 o'clock A.M. & 5 o'clock P.M. of that day and be hanged by the neck until he be dead.

And the Court value the said slave Abel to three hundred & twenty five dollars.

The foregoing proceedings were signed by Benja. Cobb

Teste James Rochelle C. C.

At a Court of Oyer and Terminer on the 28th day of June of Henry Daughtry of murdering James Powell this present month.

Present, the

The Court being thus into whose custody he being thereof assigned the Court and then Commonwealth took age being duly sworn these deponents that blows on each with an and repeated the blows what was the matter three blows on her the other room where the infant of M. In from its mother then set fire to the and under the house case of Abel being part of the Court after hearing mostly of opinion charged and is to say why the Court to Law. She said is considered by the said Court alleged judgment afterwards he summoned a being Court day or not. Whereupon the third month.

The foregoing