

Intention and unwilling to stand the Ignominy that will necessarily attend a Trial in Court," he asked that the governor grant a "Noli prosequis." The petition was supplemented by the signatures of thirty-eight men, including his brother, Nehemiah, whose slave he had killed, certifying that they believed the facts that Birckhead had presented to the coroner's jury to prove his innocence were correct and that he should be pardoned.

The account offered by Francis Birckhead in his defense of the charge of willfully murdering slave Gambo is so uniquely candid and revealing, that it deserves being quoted in full:

The Defence of Francis Birckhead in his own behalf against his Brother Nehemiah Birckhead' Negroes, as he was left in full Power by his Brother to see and make them mind their Business in his Absence. I was with them one Day agathering of Fodder when I told some of them that if they did not mind their Business better that I certainly would whip them; they not minding what I said, I whip'd a Negro Girl named Sal and she resisted against me, another Negroe Girl spoke to me and said what a Damn'd shame it was that I should whip Sal so, upon which I say'd you Damn'd Bitch do you take it up. I then went and whip'd her and she resisted and struck me. Then a Negro Man named Gambo came up and said God Damn it what are you after and took me by the Shoulder and slung me from whipping of her. I then said if they did not mind their Business better that I would whip them to Death. Gambo then made Answer and said by God and you shall lose your Life too; then the first named Negroe Sal went home and I hallowed for her to come back but she would not mind what I said. Then I followed her and drove her back. I then took the Gun along with me in fear of my own Life, and went back to them, to see that they did their Business, and whip'd Tamer again. He, Gambo, comes from his work up to me and says God Damn you what are you after. I will lose my life he says before they shall be served so, upon which I told him to go back, I had nothing to say to him, but he swore again he would lose his life before