

year of our Lord one Thousand Seven Hundred Sixty and two  
 at Rochester County of with force and Arms the Marston  
 House of the same Henry at the County of about the said  
 House in the Night of the same Day feloniously & Barba-  
 rously broke and entered and four Gallons of Brandy of the Value  
 of five Shillings Current Money each of the said Gallons  
 Brandy of the Goods and Chattels of the same Henry in the  
 same House then being found there and these feloniously  
 took and carried away against the Peace of the said Lord  
 Propriety his good rule and Government and against Whom  
 on cometh her into Court the of Negroe Stephen was  
 the Custody of Robert Goldborough Gent Sheriff of the  
 County of into whose Custody for the Cause of before that  
 time he was committed who being to the Bar here in his  
 proper Person Said Court Immediately being asked how  
 he of the Premises of in the Indictment of Specified above  
 upon him Imposed would be acquitted the same Negroe  
 Stephen saith that he is not thereof guilty and thereof of  
 God and evil putteth himself upon the Country and James  
 Nicols Gent Attorney of the said Lord Propriety who for the  
 said Lord Propriety in this part Prosecuteth in like manner  
 &c Whereupon it is Committed to the Sheriff of the County  
 of that he should cause to come her immediately before  
 the Justices of Justice &c who hath &c to Recognize &c  
 because Said Court thereupon the Jurors of that Jury whereof  
 mention is made above being called certain of them to wit  
 Leonard Nicks Jonathan Wood Seven Stevens James  
 Walters Henry Ennalls Jun<sup>r</sup> Richard Claxson Jun<sup>r</sup>  
 Gory Smith Kendall Jacobs Edward Williams Francis  
 Hayward and James Hudson appear and are sworn in  
 (that)

that Jury and because the other Jurors of that Jury doth  
 not appear therefore one of the Standers by by the Sheriff  
 of the County of to this being called and at the request  
 of the Attorney of and by command of the Justices of of new  
 is appointed whose Name to the said Standers mentioned  
 & afflic according to the form of the Statute in that case  
 made and Provided and the Juror so of new appointed to wit  
 Thomas Gorman being called likewise cometh who to say  
 the truth of and upon the Premises of together with the  
 other Jurors of first imprisoned and sworn being called  
 doth and sworn upon their Oath to say that the of Negroe  
 Stephen is guilty of the Premises of in the Judgment  
 of Specified in manner and form as by the same Indict-  
 ment also against him it is supposed and Immediately  
 the Court of it is asked of the same Negroe Stephen if  
 any thing for himself he hath or to say knoweth whereby  
 the Court here Sentence of Death should not be pronounced  
 against him upon his Conviction of according to Law  
 who nothing further saith only as before he had &c  
 Whereupon all and Singular the Premises by the Court her  
 being said and fully understood it is considered that  
 the of Negroe Stephen be carried from this place to the  
 Prison from whence he came and from thence to the  
 Place of Execution and there to be Hanged by the Neck  
 until he be Dead &c and that the same Negroe Stephen  
 be committed to the Custody of the Sheriff of the County  
 of there to remain until &c

In Case 113