

Rockingham County to wit.

To the Sheriff of Said County, Whereas Charles a Negro Slave late the property of Robert Taft, was this day committed to the Jail of this County by my warrant, it appearing to me that the Felonious offence wherewith he stands charged, ought to be examined into by the County Court, Therefore on behalf of the Commonwealth, I require you that you summon at least eight of the Justices of your Said County to meet at the Courthouse on the Seventh day of January next (being Saturday) And then & there to hold a Court for the examination of the fact, with which the said Negro Slave Charles stands charged, and for such other purposes concerning the premises as is by law required and directed, And that you have them show this Warrant.

Given under my hand this 30th day of Dec^r 1814

Jas: Coakens

Subpoena
Justices

To the Sheriff or Jailor of Rockingham County N. C. wit:

There are to command and require you, in the name of the Commonwealth, to receive into your Jail the body of Charles a Negro Slave the property of Robert Foster of Said County taken and brought before me for felony and Burglary by him committed, in breaking and entering the ~~dwelling~~ Store of John Graham of Harrisonburg in Said County Merchant, on the Night of this Instant About Six or Seven o'clock P.M. as appears with felonious intention &c. And You are hereby Commanded to keep the Said Charles safely in your Jail and Custody without bail or Mainprize until he shall be thence discharged by due course of Law

Given under my hand &c.
This 30th day of December 1814

Jos: Crowens

Charles
Forsberg
No. 3

The Deposition of the Witness taken on the trial of Charles
a Negro Man Slave for Burglary held the 7th
January 1815. —

John Graham Jr. Depoeth and saith that, on the Night of the 30th
of December 1814, about 6 or 7 o'clock, in the evening, he laid
in his father's store, with an intention to wait for some person, whom
he believed had before entered the store, and taken the money therefrom
that he had not laid but a short time, before he heard some
persons come to the front door of the store house aforesaid, ^{that} ~~where~~
~~and he put~~ a key into the Lock of the Door, and unlocked the
~~same~~, and entered the house, and advanced towards the draw where
the money was kept, that at that moment this Depoeth jumped
out and Locked the door with the same key which the persons had
~~put in the door~~ ^{and cried out that he had got the thief}, upon which the Persons ran to the other
door which entered the store, but could not get it open, in consequence
of this Depoeth holding the Door, ^{from the outside} upon which one of the persons asked
for an axe, on which the Persons ran to Middle door within
the store, ~~where~~ the upper part of which door was ~~so~~ scarce with
glap in it, which he broke ~~into pieces~~ ^{through}, and run up stairs, and
raised one of the Windows, and got on the roof of the porch, upon
which, ~~he~~ this Depoeth sister call out that it was Charles
the person, upon which this Depoeth came round and saw the
person on the roof aforesaid, and call for a gun, and the
person ^{made to the end of the porch &} jumped off the corner into a hog pen, and attempted to
crop the fence near Thomas Sullivan's, where he was caught by
Mr. J. Gularin, — this Depoeth further saith that the door
produced in court is, ^{the inner door and} the same that belonged to the store; and
that after the said Charles was apprehended, he with other
found ^{pieces of} ~~glap~~ in his head, and that there was a fresh cut on
the ^{left side of his} face ~~and~~ which appears to have been cut with the
breaking of the glap in the door aforesaid; that near the door
aforesaid was found a black hat with a ^{little} handkerchief, which
he believes to be the person's, this Depoeth further saith that
it was too dark for him to tell who the person was when

he first entered the store; — being asked how the second door that opens
into the store was fastened, answers it was with ^{bar of wood} ~~also~~ across
it, and ~~also~~ a proft — which the prisoner required, and
then attempted to pull the door open, but which this deponent prevented
by his holding it from the out side. this deponent further saith that
the inner ^{or Partition} door was locked with ^{a stock and} pad lock, this deponent further
saith that he had a candle in his hand, and saw the prisoner on the
porch, who jumped off, in the manner aforesaid, this deponent
being asked if he slept in the store, answered that he did, and had
done so ever since it was removed to that house (except the time he was
at Norfolk) ^{for as he no that his father ever lodged in} he also states that the store is the property of his father
this deponent further saith that just such a pad lock he purchased
from Mr. J. Kyle, as that found in the prison possession, that on inquiry
of the prisoner how he came by said lock, he said he had purchased
it for Mr. M. Dever, — being asked if the Prisoner did not frequent-
ly come to the store for such articles as was wanting, answered that he had
been there and got Charles being asked if he was the first person that went into
the store after Charles was taken, answered that he was, that he went up stairs
and as he came down, observed there was ~~the~~ his hat, picked it up and
handed it to Mr. Harrison, being asked whether the store house was attached to the
it was not, that the store house is situate about 11 feet from it, with a street, between
Jacob Leggett's sworn depositions and saith that on the night of
the 30th of December 1814, that when the alarm was given about
the breaking of the store, he run to the store aforesaid, that he
saw the prisoner on the roof of the store porch, and that he
jumped off, in the manner described by Mr. Graham, this deponent
further saith that he saw a number of small pieces of
glass in the prisoner's head (when he was before the Magistrate)
that he also saw a small cut on his jaw, and on his hand
which appeared to have been done with glass, this deponent further
saith that ~~the Prisoner~~ he is confident that Charles the prisoner, is
the same person he saw on the porch, that when he first jumped
off the porch it was into a hog pen (near the end of the porch)
~~in which~~ he made a short stop, & this deponent being asked if he
knew the hat produced in court, answered that he ~~did~~ believed
it was made in his shop, which was sold to one ~~Burke~~ James
Able a free man of colour —

Jacob Leggett

Thomas Lannahan being sworn Deposeth and saith that on the
night of the 30th of afternoon, he heard Mr. John Graham Jr. call out
who had the ~~thief~~ sheep, that he run to the store, and after some
time he the deponent went ^{with others} to the back of the store, that he
had been there but a few moments, ^{when} a Negro, jumped of the
era of the porch, into the hog pen, (who the deponent believes
to be ~~that~~ Charles the Prisoner), ^{but cannot be certain it being very dark} that when he ~~fell~~ ^{jumped} into the hog pen
the deponent advance there, and the prisoner made his way over
the railings between Sularin and Nampelt, and as he jumped the
railings ^{the deponent} made a stroke at him, and ~~he~~ call out that he
was making his way ^{through} Sularin yard, and in a moment the
~~was~~ deponent was informed he was caught; being asked if he saw
any person at the back side of the house, answered that he did not
(except those that went with him), he is also confident that the
person that jumped into the hog pen was a black man —
Thomas Lannahan

Swelling house of his father, answered that
there —

John Graham Jun^r
Comman Sularin

Mr. Graham

Seremah Sularin deponeth saith, that on the 30th of afternoon, he
caught the (Charles the prisoner of the bar,) just after he had
got off over ^{Graham} ~~his~~ fence, that he saw him getting over the
fence, he further saith that when he he caught him he did
not ~~know~~ ^{know} who it was, but that he kept hold of the ^{said} person,
untill he ~~was~~ ^{brought him} to the light, ^{which was} about 10 or 12 feet from the place,
and found it to be (Charles the prisoner.)

Per Sullivan

Levi Spangler deponeth, saith, that on the night of the 30th December last, he was at the store of John Graham, that he saw some person on the porch, that he saw something on his head which appeared like blood, ~~but~~ and that the same person jumped of the porch into the hogpen, after that he saw no more of him until he was caught, ~~at which~~ and at that time he is confident that it was a red comb that was in his head and not blood as first supposed, he further saith that he distinctly saw the comb as he jumped of the porch, he also saith that he saw the person on the porch, come out of ~~some~~ of the windows or to the porch—

Levi Spangler

Miss Harriet Graham deponeth, saith that on the night of the 30th December 1844. she came out of her father's house, with a candle in her hand, that the person had the window ^{in the up stairs of the store house} ~~opened~~, ~~with~~ ^{out} one foot out, that she cried out here he comes, upon which he ~~dropped back~~ ^{dropped back} ~~and let the~~ ^{into the house and let the} window down ~~and drew back~~ ^{and drew back} ~~into~~ ^{the house}, she further saith that, ^{whilst he was on the porch} she distinctly saw a red comb in his head, upon which she said she believed and is confident it was Charles the prisoner, —

Harriet Graham

James Ails being sworn saith, being asked if he knows the hat produced in court, said to belong to the prisoner, answered that he did, ~~thinks~~ that it is the same hat that Charles the prisoner got of this deponent, being asked if he was confident that it was the ^{same} hat, ~~he~~ answered that he believed it was.

his
Jas. Ails
made

~~Pater Effinger deports saith. that on the night of the 30th December
last, when the report of the breaking the stone was made, he went
to the stone house, that he heard a considerable noise in the stone,~~

John Bynater being sworn deponeth and saith that the ^{said} Lock produced in Court, or saw just like ^{the} he found in the possession of Charles the Purser, that he is confident that the Key to the said Lock is the same, he also produced in Court the Key which he found in the Lock that opened the store door, he further saith that he kept the Key of the ^{said} Lock himself, and that he gave the Lock to Mr Graham and that some short time after that he Mr. Graham returned the said ^{said} Lock to the Dependant, and he kept them both ^{as a Murders}

Mr. Bywaters

William Devere being sworn depone that the sherr
authorizd ^{a depute} ~~the~~ (Charles the prisoner) to purchase the Locke ~~here produced~~
~~and when it he said he purchased for him any Locke, or Locke~~
for him —

William Devere

William Devere

Account as the Law stands.

The court ~~has~~ upon consideration of all the circumstances attending the case one of the opinions that ~~the~~ he is guilty of the said Burglary, with the ~~affirmation~~ intention, whereupon it is ordered that he be hanged by the ~~neck until he is dead, which execution is by the neck on the~~ day of ~~which~~ until he is dead, and that the sheriff of the said County, cause this ~~same~~ judgment to be duly executed, and the Court with Notice the said charges & costs to the sum of \$500 which Satisfaction is ordered to be paid to the Auditor of Courts

Conth

Charles Z. Hoey

Papers of Capt. Conth
taken by 4 January 1815