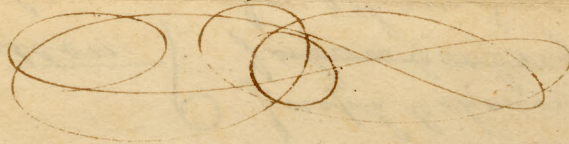


The Commonwealth of Virginia to the Sheriff of
Rockingham County, we command you, to ~~execute~~
that you cause to come before the Judge of the Superior
Court of Rockingham County on the first day of April
next two good and lawful freeholders of your
County, residing as near as may be to the place where
the Burglary was committed of which David M^g
is accused, every one of whom is possessed of a visible
estate real and personal of the value of \$300 at the
least, to recognize on their oaths whether the aforesaid
David be guilty of the Burglary aforesaid or not
and have them there ~~in~~ the names of the said
freeholders and the Writ, Walter Henry Gambell
Clerk of the said Court at the Court house the 19

February 1816

W. H. Gambell



Count
David S. V. faia

I have summoned the following
freeholders

James Stewart
Abraham Fisher
Joseph Robinson
John Buttering
Jonathan Buck
William D. Clark
John Craig
George W. Caldwell
John Dickey
Jacob Riggs
Samuel Hulse and
John McDaniel

Thomas Buckner
Charles Beckwith
Jacob Buckner

Virginia ~~to wit~~ in the Judicial Circuit Rockingham County ^{with} ~~to wit~~

The Jurors for the Commonwealth of Virginia duly summoned to attend the Superior Court of Law directed to be holden for the 1st County of Rockingham being one of the Counties composing the 1st Judicial Circuit aforesaid upon their oath present that David a free man of colour late of the parish of Rockingham in the County of Rockingham labourer on the 19th day of ^{September} in the year of our Lord eight hundred and fifteen about the hour of twelve in the night of the same day, with force and arms at the parish aforesaid in the county ^{and within the jurisdiction of this Court} aforesaid the mansion house of one Henry Utolles there situate, feloniously & burglariously did ~~enter~~ break and enter, and certain Jew the ^{goods} ~~property~~ of the ^{chattel} Henry Utolles then & there being of the value of one dollar then and there feloniously & burglariously did intend to steal take and carry away against the form of the act of the general assembly and of the Commonwealth of Virginia in such case made and provided and against the peace and dignity of the Commonwealth of Virginia

And the Jurors aforesaid upon their oath aforesaid do further present that David a free man of colour late of the Parish of Rockingham ~~and in the~~ 1st County of Rockingham labourer on the 19th day of ^{September} in the year of our Lord Eight hundred and fifteen about the hour of twelve in the night of the same day with force and arms at the parish aforesaid in the 1st County of Rockingham, ^{& within the jurisdiction of this Court} the mansion house of one Henry Utolles there situate, feloniously and burglariously did break and enter, with the intent, in and upon one Betty

Utolles single woman, being then and there in ^{The Mansion house &} the peace of God and of the Commonwealth, violently and feloniously to make an assault and her the 1st Betty Utolles against the will of her the 1st Betty Utolles, then and there feloniously to ravish and carnally know, against the form of the act of the general assembly of the Commonwealth of Virginia in such case made and provided, and against the peace and dignity of the Commonwealth

wealth of Virginia

Henry Uteler (of the
County of Rockingham) Car-
penter, Prosecutor

The Jury find that the Prisoner is not guilty of the Burglary
as charged in the Indictment

James B. Thomas

The Jury find the Prisoner guilty of Burglary as charged against him in the second Count of the Indictment and we do advise and counsel the Court of his imprisonment in the public House of Correction for the term of years

John Uteler
Commissioner

Indictment

a free man of color

Henry Uteler

Peterson Uteler

Wm Scarsdale

James B. Thomas

County
David E. Mauck
for
Burglary
1815. Septem tried
& convicted & now tried
Grants 1816. May 6
Verdict for the Deft

~~At vero Bill for John Bush~~

The Jury find the Prisoner
guilty and sentence him
Years to the penitentiary House

James B. Thomas