

ROCKINGHAM COUNTY, TO WIT:
IN THE Circuit COURT OF THE
SAID COUNTY.

THE Jurors of the Commonwealth of Vir-

ginia, in and for the body of the County of

Rockingham, and now attending the said Court, upon their oaths present, that Madison
alias Mat Maho a free negro on the night of the 20th day of June
in the year 1859 in the said County, with a certain axe

which he then & there held he the said Madison alias Mat Maho
did then and there feloniously and maliciously cut and wound one Thomas
Barford a white person with intent him the said Thomas Barford
then & there to kill against the peace and dignity of the Common-
wealth of Virginia. And the jurors aforesaid upon their oaths aforesaid
do further present that the said Madison alias Mat Maho a
free negro on the night of the 20th day of June in the year 1859
in the said County in & upon one Thomas Barford a white
person an assault did make & with a certain axe which he the
said Madison alias (Mat) Maho then & there held he the said Mad-
ison alias Mat Maho did then & there feloniously and maliciously
wound and by other means to wit by striking by striking him the said
Thomas Barford with the said axe cause bodily injury to him the
said Thomas Barford white person as aforesaid with intent him
the said Thomas Barford then & there to kill against the peace and dignity of the
Commonwealth of Virginia.

This indictment is found upon the evidence of
Thomas Barford and witnesses
to appear sworn in Court and sent upon the Grand jury to give
evidence

We the jury find the prisoner not guilty of
the offense charged in the indictment but
guilty of unlawfully cutting and wounding
the said Thomas Sanford with intent to
the said Thomas Sanford to disable

Geo W. Sanford

Foreman

Commonwealth

Madison alias Mat Maho

Indictment

for cutting & wounding
& by other means causing
bodily injury - maliciously
with intent to kill

A true bill

James J. McInnis Foreman

Corroth

vs

Maho

Indict.

1859 Ct. Indict found.
Jury verdict & sent to the
Penitentiary for one year by
the Judge of the Court.

costs \$107.50

We the Jury find
the prisoner guilty
of unlawful
wounding

Geo. W. Sanford

Foreman

We the Jury
find the prisoner
guilty of unlawful
wounding with
intent to disable

Geo W. Sanford

Foreman

Court vs Mat Maho.

1859 Oct. Entry Order 36, remaining July 70, Entry Order 108, two Exas. 40,
copies 80, Entry right witnesses 240, Entry Affidavit 36, Order 36,
Entry Indict 36, taxing costs 20, copy 20, filing papers 20,
certificate 100, Execution 1088. - - - \$10,00

Clerks fees	—	10.00
Sheriffs fees	—	2.50
Jailor	—	30.00
Ant to Jury	—	36.00
Ant for board,		24.00
Attorneys fee,		5.00
costs in cit. & c.	\$	107.50
Witnesses		10.00
costs in cit. & c.	\$	117.50

Execution if paid

2^d The Court instructs the Jury that the rules of evidence are the same in the case of a free negro as those governing the trial of white persons; and therefore if the jury have a rational doubt of the guilt of the prisoner, they are bound to acquit him.

3^d The Jury are instructed, that when a man is assaulted, he has the right to use such means as are necessary for his defence—and if a man is assaulted in his own house, he is not bound to retreat, but may use such force as is necessary to put out his assailant—and he is justifiable in using such force as is necessary for that purpose, even if it result in the death of the assailant.

