

We set on the trial of Billy a Mulatto Slave belonging to John Tayloe Esqr. who was Convicted and Condemned by the Court for High Treason by four of the Judges. We were agst. his Condemnation because a Slave in our opinion Cannot Commit Treason agst. the State not being Admitted to the Priviledges of a Citizen owes the State no Allegiance and that the Act declaring what shall be treason cannot be intended by the Legislature to include Slaves who have neither land or other property to forfeit and there was no Positive Proof before the Court that the said Slave went Voluntarily on board of the Enemys Vessel and took up Arms; there was Proof that he was taken in company of Part of the Crew of the said Vessel on shore who made their Escape on being pursued by an armed Vessel from Alexandria on his defense he says he was taken in an oyster boat and forced on board agst. his will and that he never took up arms agst. the Country and no Positive Proof that he Certainly did aid or assist the Enemy of his own free will.

May 11th 1781

H. Lee
William Carr

[*endorsed on reverse*]

recmdn. of
Billy- by H. Lee &
_____ Wm. Carr

a slave cannot
commit high treason

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