

Case No. 16,152. UNITED STATES v. RHODES.
[1 Cranch, C. C. 447.]¹

Circuit Court, District of Columbia.

Nov. Term, 1807.

COMPETENCY OF WITNESSES—LARCENY BY SLAVE.

The owner of goods stolen by a slave is not a competent witness for the prosecution, because he is entitled to one half of the fine which the court must impose under the act of congress.

Indictment [against Milly Rhodes, a slave] for stealing a piece of Russia linen, the property of Mr. Vowell.

Mr. Jones contends that "Vowell is a competent witness, because as a slave can have no property, there ought not to be a fine, and if no fine, no interest.

But THE COURT said, the act of congress under which she is indicted makes the fine a necessary part of the punishment, and Mr. Vowell will be entitled to one half of the fine.

DUCKETT, Circuit Judge, absent.

¹ [Reported by Hon. William Cranch, Chief Judge.]