

**Case No. 16,154.** UNITED STATES v. RICHARD.  
[2 Cranch, C. C. 439.]<sup>1</sup>

Circuit Court, District of Columbia.

Nov. Term, 1823.

CRIMINAL LAW—EVIDENCE—CONFESSIONS—LARCENY.

Although a confession, made under a promise of favor, is not, in itself, evidence against the prisoner, yet the fact of the prisoner's going to the place where the property was secreted, and identifying it, is evidence against him.

Indictment for stealing planks, the property of Mr. James McGuire, a lumber merchant. The prisoner [the negro Richard], upon a promise that he should not be prosecuted, was induced to confess his guilt, and to go and return the stolen articles, and to select those which belonged to Mr. McGuire.

Taylor & Fendall, for the prisoner, contended, and Mr. Swann, for the United States, admitted, that he must identify the property, independently of the confession.

THE COURT said that the fact that the prisoner selected Mr. McGuire's lumber was evidence against him.

Verdict, "Guilty."

<sup>1</sup> [Reported by Hon. William Cranch, Chief Judge.]