

Case No. 1,287.

BEN V. SCOTT.

[1 Cranch, C. C. 365.]<sup>1</sup>

Circuit Court, District of Columbia.

Dec. Term, 1806.

SLAVERY—PETITION FOR FREEDOM—CONTINUANCE—PRACTICE.

An affidavit is not necessary to continue negro petitions at the first term.

{Petition for freedom by the negro Ben against Sabret Scott. Application for continuance. Granted.

{For prior proceedings in this litigation, and subsequent disposition of the case, see Cases Nos. 1,286 and 1,288.}

BEN v. SCOTT.

THE COURT will not require in all cases an affidavit at the first term to continue cases of negro petitions.

This cause was continued at the cost of the defendant, as the petitioner offered himself ready for trial; and in general the court will not insist on a trial at the first term, but if either party offers ready, it shall be continued at the cost of the party not ready. At the second term the court will require a trial unless good cause be shown on affidavit.

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