

Case No. 3,561.

DANIEL v. KINCHELOE.

{2 Cranch, C. C. 295.}¹

Circuit Court, District of Columbia.

April Term, 1822.

SLAVERY—POWER TO HIRE OUT—LAWFUL IMPORTATION.

1. From a power to hire out a slave, and receive his wages, the jury cannot infer a power to sell him.

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2. If the importation of a slave into this county be with intent that he should be hired out for a limited time only, it is not such an importation as is forbidden by the Maryland act of 1796, c. 67, § 1.

Petition for freedom.

Upon the trial, THE COURT (nem. con.) instructed the jury that from the fact that young Kincheloe had authority to hire out the slave and receive his wages, they could not infer that he had authority to sell the slave; and further instructed the jury (MORSELL, Circuit Judge,) contra) that if they should be satisfied by the evidence, that the importation of the petitioner into the county of Washington was with the intent that he should be hired to remain a limited time only, and not to reside permanently, it was not such an importation as is within the first section of the Maryland act of 1796, c. 67.

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