

Case No. 8,284.

EX PARTE LETTY.

[1 Cranch, C. C. 328.]<sup>1</sup>

Circuit Court, District of Columbia.

July Term, 1806.

SLAVERY—PETITION FOR FREEDOM—HABEAS CORPUS—SECURITY.

A petitioner for freedom, in custody, will not be discharged upon the request of the master, unless upon security given by him to have the petitioner forthcoming, &c., to prosecute a claim for freedom.

Habeas corpus upon the petition of a man claiming to be the master of the negro Letty, committed to jail by a magistrate, upon a complaint made that she was entitled to her freedom under the law of Virginia, December 25, 1795 (Rev. Code 1803, p. 346).

Mr. Youngs, for her master, contended that the justice had not stated that the master failed or refused to give bond. That her title to freedom must be proved, by legal evidence, before she can be detained against the will of the master. The negro had been confined in jail in Washington, and, while in jail there, was sold by B. G. Orr to Henry Dawes, of Georgetown, by him brought to Alexandria, and sold to Dozier, of South Carolina. She had petitioned for her freedom in Washington county, where the petition was still pending.

Mr. Hiort, for prisoner, filed a petition praying that she may be protected from being removed out of the district, until her petition for freedom can be heard in Washington.

THE COURT, after consideration, refused to suffer the master to take the negro away, unless upon giving security not to take her out of the District of Columbia, &c., according to the Maryland practice, and remanded her.

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