

Case No. 8,743.

McCUTCHIN v. JAMIESON.

[1 Cranch, C. C. 348.]<sup>1</sup>

Circuit Court, District of Columbia.

July Term, 1806.

APPRENTICE—AGE—RECITAL IN INDENTURE.

The master of an apprentice is concluded, by the recital in the indentures, as to the age of his apprentice.

Habeas corpus, to Andrew Jamieson to bring the body of McCutchin, whom he claims as an apprentice. The return showed an indenture between the overseers of the poor and Andrew Jamieson, under their seals, in which they state that the boy is nine years old in July, 1794, (the date of the indenture,) and bind him until he shall be twenty-one years old. Andrew Jamieson, wished to show, by parol evidence, that the boy was only seven years old when bound, and of course had two more years to serve.

THE COURT was of opinion that Andrew Jamieson could not, by parol, contradict his seal, and was at law estopped to deny the age. And in equity he had no claim to the further services of the boy, because he saw the boy at the time he took him, and agreed to his age, and expected only twelve years' service from him.

THE COURT discharged the boy.

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