

Case No. 12,524.

SCOTT v. BARTLEMAN.

{2 Cranch, C. C. 313.}³

Circuit Court, District of Columbia. May Term, 1822.

CONTRACTS—HIRING SLAVES—LOSS BY ARREST.

If I hire a slave for a year, and he be arrested for theft at any time during the year, and imprisoned therefor during the residue of the term for which I have hired him, I must pay the stipulated hire, and suffer the loss of service.

Assumpsit, for \$36, for one year's hire of a negro woman, the slave of the plaintiff {Richard M. Scott}, hired by the defendant {W. Bartleman} for a year. Within ten days after hiring, she was arrested and imprisoned upon a warrant for theft, and kept in custody the rest of the year.

Mr. Swann and Mr. Fendall, for plaintiff.

Mr. Taylor, for defendant.

THE COURT (THRUSTON, Circuit Judge, absent) instructed the jury that the loss of time and service must fall on the defendant.

³ [Reported by Hon. William Cranch, Chief Judge.]

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