

## UNITED STATES v. ELLICK.

{2 Cranch, C. C. 412.}<sup>1</sup>

Circuit Court, District of Columbia.

March Term, 1823.

SLAVES—ASSAULT AND BATTERY—JURISDICTION  
OVER OFFENCE.

This court has no jurisdiction in assault and battery by a slave on a white man; and will order him to be taken before a justice of the peace to be dealt with according to law.

This was an indictment of {negro Ellick} a slave, for an assault and battery upon Henry Shortle, a white man. The jury found him guilty, and assessed the fine at \$23.

THE COURT arrested the judgment, being of opinion that neither the court nor jury could assess a fine or inflict corporal punishment upon a slave, and that an adequate corporal punishment could only be inflicted by a justice of the peace. They therefore ordered the marshal to take the prisoner before N. S. Wise, a justice of the peace, to be dealt with according to law, and that the verdict and this order be certified to the said justice.

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