to send the other seaman back in another Vessel he had a right to send the slave back in the same way, the act of Congress has thought it a reasonable way and it is a good rule for us, did he pay him the two months wages it is right and proper he should not have paid them, if he had he would have been bound to pay them again to Mrs Hay with whom the Contract was made Perry was a slave and could do no act but such as Mrs Hay authorised him to do, Captain Conner put the slave on board Captain Weems bound for Baltimore to be brought back by the act of God the Vessel was driven out of her Course and Compelled to go to one of the Islands this was no wrong by Captain Conner, but when there Perry makes his escape, Is this the wrong of Captain Conner, we think not, suppose Perry had ran from the ship and drowned himself would Conner be answerable would it be a Conversion, No. suppose he had when compelled to go in this Island committed an offence against the laws of the state and was imprisoned would Conner be answerable, No. Suppose the slave had taken a knife and cut his own throat would it be said that Captain Conner ought to have been standing always by to arrest the blow and that he having neglected to do this he is answerable, No upon the whole we think that Martha Hay had a right to hire, and that there was no wrong in Captain Conner in receiving the slave on board as a seaman, that Captain Conner did all he was bound to do afterwards to ensure the return of the slave and if he deserted it was not Conners fault and therefore it is the opinion of the Court that Conner is not guilty of a Conversion upon the facts so offered and admitted to be proved to the Jury, In direction to the Jury and opinion of the Court the Counsel for the Plaintiff prayed leave to except and that the Court would sign and seal the same which is done accordingly

Henry Rudgely (seal)
William Winchester (seal)
Edward Johnson (seal)

And Thereupon the said John Hay and Margaret Hay by their attorney aforesaid pray an appeal from the Judgment of the Court here so as aforesaid rendered to the Judgment of the General Court of the Western Shore and to them it is granted Thereupon it is ordered by the Court here that the record of proceedings in the plea aforesaid with all things thereunto relating be transmitted to the said General Court of the Western Shore and the same is hereby transmitted

Test. Wm Gibson Clk.

Baltimore County So I hereby certify that the aforegoing is a true

Copy

Copy taken from the record of proceedings of the County Court aforesaid.

In Testimony whereof I this Exemplification (the same being first duly stamped) I hereunto set my hand and the seal of the County Court aforesaid this nineteenth day of February one thousand eight hundred and two.

(Seal of Baltimore County Court)

Wm Gibson Clk of Baltimore County Court.

And on the said day towit the said second Tuesday of May in the year aforesaid came into the said General Court as well the said John and Margaret Hay by Nicholas Bruce their attorney as the said Walter Conner by Jabez Hollingsworth and John Gwinn his attorney; And Thereupon on motion of the said Walter Conner by his attorney aforesaid it was ruled by the said General Court that the said John and Margaret Hay assign the errors in the record of proceedings of the Judgment aforesaid brought before the said General Court for the Correcting the errors supposed to be therein or Judgment by the said Court would be rendered against them in default thereof; Whereupon the said John and Margaret Hay by their attorney aforesaid prayed that a day might be given them for the assignment of errors of and upon the record of proceedings of the Judgment aforesaid until the second Tuesday of October then next and to them it was granted; the same day was given to the said Walter Conner also.

At which said second Tuesday of October being the twelfth day of the same month in the year of our Lord one thousand eight hundred and two which said day was given to the said John and Margaret Hay for the assignment of errors of and upon the record of proceedings of the Judgment aforesaid came again into the said General Court as well the said John and Margaret Hay by their attorney aforesaid as the said Walter Conner by his attorney aforesaid; and the said John and Margaret Hay by their said attorney said that in the record of proceedings aforesaid and also in the giving of Judgment aforesaid there was manifest error in that point, that by the record of proceedings aforesaid it appeared that the Judgment aforesaid in the plea aforesaid given, was given for the said Walter Conner against the said John and Margaret Hay where by the law of the land that Judgment ought to have been given for the said John and Margaret Hay against the said Walter Conner, therefore in that there was manifest error and they prayed that the Judgment aforesaid for that error and others being in the record of proceedings might be reversed annulled and held entirely as void and that they the said John and Margaret Hay might be restored to all that they had lost by occasion of the said Judgment and that the said Walter Conner might rejoin to the errors aforesaid and so forth, and the said Walter Conner by his attorney aforesaid said that there was no error in the record of proceedings aforesaid or in the rendition of the Judgment aforesaid and prayed that

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