

Osborn Sprigg
v
Negro Presley.

} appeal from Fred. County Court.
Same as page 55.

Shaff for app^t nearly similar - one of the Recap. same.
Put. carried to Columbia by the guard. - question as to
the gift to Maria Sturton by her grandfather, of the put.
The c^t d. said that nothing c^d be a gift but a delivery over
by the donor to the donee. -

Maguder, contra. In the former case it taken for granted
that the gift was a legal one - Here it was contested. -
States the facts relative to the pretended gift.

Not contended by the app^t counsel that if the gift
out of the case then the put. w^d be free. - It is a mere
attempt to keep the negro from freedom. - There is nothing
in the case to show there was a gift - mere declaration
of intention to give no delivery.

Judg^s affirmed on 1. & 2. & Reversed on the 3.
Writs of Recap. Procedendo ordered