6 Whereupon the Court here file of record the following Opinion to Wit

"Negro Julia Ann Bailey } Petition for Freedom
vs
John Anderson }

It was admitted in the argument in this case that the deed of Manumission given in evidence has all the formalities required by Law to confer freedom on Lucy and that the petitioner is her Child born before ~~her manumission~~ the Mothers title to freedom Commenced. the only question therefore for the decission of the Court is Whether the petitioner is by Law entitled to the benefit intended to be conferred on her of being free born or was born a Slave. - The defendants Counsel Contended for the latter on two grounds - the first founded on the general principle of law that the issue follows the Condition of the mother who being a slave at the birth of the Child made the Child also a slave. - the second on the incapacity of the petitioner at the time of her birth to receive the intended benefit on account of her inability to procure a living by personal labour. Which brings her case within the provisions of the 29th Section of the Act of 1796 Ch 67 as explained and settled by the Court of appeals in the case of Hamilton vs Cragg 6th Harris & Johnson's Reports. -

To the first objection we think it sufficient answer to say that admitting the general principle of law to be as stated - it can only apply to cases. Where the instrument of Writing giving freedom to the mother at a certain period or on a certain Contingency has been silent in regard to