

At the time of the hearing of the case it was admitted by the Defendant that the Plaintiff is the owner of the said Negro and that the said Mary was not legally appointed the guardian of the said Plaintiff's person or property and that the said Plaintiff was not legally appointed the guardian of the said Plaintiff's person or property and that the said Plaintiff was not legally appointed the guardian of the said Plaintiff's person or property.

This case is The Evidence offered to the Jury is that John Hay deceased, father of the Plaintiff in his life executed a Bill of Sale to the Plaintiff who were and still are Infants under the age of twenty one years by which he sold to them a Negro Slave by the name of James Perry (who is the Slave mentioned in the Deductio) ^{in his will} that the said John Hay ~~did~~ departed this life leaving his said Children in the law and under the Protection of their mother Martha Hays that Martha Hays afterwards took upon herself to hire for wages the Negro Slave aforesaid called James Perry to the Defendant ~~Corner~~ to perform a Voyage from Baltimore to Hamburg and thence back to Baltimore, as a Cook on board the Ship Mary which the Defendant commanded in the said Voyage the Negro Slave named was signed under the Ship's Articles in that the Defendant promised the said Martha that he would bring back the said Negro Slave as a Cook - The Ship Mary on her arrival at Hamburg in the Prosecution of her said Voyage was ordered by the orders of her owner - The Negro Slave James Perry after the sale of the said Ship put by Capt. Corner the Defendant boarded the Ship Fidelity Capt. Nevens bound to Baltimore and the Defendant furnished him with Provisions for said Voyage.

The Fidelity on her Voyage to Baltimore near the American coast and the great Bank of New York and encountered very tempestuous weather and was obliged to put back to the Island of Martinique in the West Indies in Distress, where the Negro James Perry deserted and made his escape such was made after being pursued by Capt. Nevens, but he could not be found he has never returned to the service of the Plaintiff who have demanded him who of Capt. Corner - Captain Corner has never delivered him but refuses to be accountable for him -

It is also admitted that an action of ^{Writ} ~~Assumpsit~~ has been instituted in this Court for the Recovery of ^{for said Voyage} ~~the~~ wages against Captain Corner and now the present action is brought to recover the Value of the Slave upon the ground that this Slave has been converted by Captain Corner to his own use and ^{to the use of the Defendant} ~~to the use of the Defendant~~ ^{for the Defendant's use} ~~for the Defendant's use~~ and that the great question that upon which this case depends is whether under these circumstances Captain Corner is guilty of a conversion if he ^{is} ~~was~~ The Plaintiff are entitled to a Verdict ^{if not} ~~if not~~ ^{guilty} ~~guilty~~ the Verdict ought to be for the Defendant.

It remains to be considered how this Slave came on board Captain Corner's ship - by what Authority he was shipped - and in what Capacity he