

a Petition for freedom is comprehended within the general
Terms of writs or actions used in the 2^d Section of the Act
of 1804 c. 55, and ~~that~~ the County Court in which the
suit is instituted, ^{shall} transmit the Proceedings
to the Judge of any ~~other~~ County Court within the
District, upon the affidavit of either of the Parties
competent to make an affidavit, or upon such other
proper and competent evidence as may be offered
in support of the suggestion that an im-
partial Trial ^{not} can be had, ~~and the Court may order~~
in the County in which the petition for freedom is depending
~~heard~~ - a negro petitioning for his Freedom is
not competent to make ^{such an} ~~the~~ affidavit, he is
slavery or freedom being then sub judice, and
if a Slave he is excluded by the Act of 1777 c. 13
~~But no Appeal will lie in such Case~~