as the aforesaid Robert Stewart by his aforesaid. And the said Robert Stewart by John Purviance his attorney, saith that the said Robert Oakes is not free as he the said Robert Oakes by his said Petition above hath alleged, and of this he puts himself upon the Country and Soforth. And the said Robert Oakes in like manner and Soforth — Therefore let a Jury thereon appear before the Court here immediately, by whom and Soforth, who neither and Soforth, to recognize and Soforth, because as well and Soforth, who being called come, that is to say, David Armour, Jacob Myers, Frederick Baindle, Benjamin Berry, Aaron Levering, George McKenzie, William Davis, Joseph Davis, William Dyer, William Belton, Philip Lillig and Andrew Snyder who being empannelled, and sworn to say the truth, in the premises, upon their oath do say, that the said Robert Oakes is free and in manner and form as he the said Robert Oakes in his said Petition to the Court, here preferred hath alledged;

Memorandum. Before the Jurors aforesaid withdrew from the bar of the Court here to consider of and upon their Verdict in the premises aforesaid it was agreed upon between the parties aforesaid, by their attorneys aforesaid, that the Verdict to be found by the Jurors aforesaid should be subject to the opinion of the Court here, on the following Case stated, to wit;

Robert Oakes
vs
Robert Stewart

Court of Oyer and Terminer and Jail Delivery for Baltimore County.

It is agreed that a Verdict shall be taken for the Petitioner, subject to the opinion of the Court on the following Case —

It is agreed and admitted that negro Robert the Petitioner was the slave of Robert Stewart the Defendant who is a Citizen of the State of Maryland and resided therein prior to the 10th day of January 1783 and ever since; — That Robert Stewart is the owner of a Stone

Stone quarry situate in the State of Virginia, where he has been in the habit of taking the Petitioner for the purpose of assisting him in raising Stones from the said quarry, for a number of years past, for 4 or 5 weeks in the Spring of every year, making the time of the Petitioner's being in Virginia in the whole upwards of one year; — That the said Robert Stewart never resided in the State of Virginia except for the purpose of quarrying Stones as aforesaid, and always returned to the State of Maryland (where his family constantly remained during his absence in Virginia) as soon as he got a sufficient number of Stones to supply his Manufactory at Baltimore. —

It is also admitted that the record annexed hereto contains a true and Just Copy of the Laws of Virginia relative to negro Slaves, and also that the Petitioner never applied to any Court of record or other Competent tribunal in Virginia, for the purpose of obtaining his freedom under the Laws of that State. —

It is also admitted that the Petitioner was always brought back to Maryland by said Stewart without being compelled thereto by any force or violence.

It is also admitted that the several times herein before mentioned in which the Petitioner remained in the State of Virginia were subsequent to the passage of the above mentioned Law of Virginia. —

It is also admitted that the Petitioner was taken by Robert Stewart in the Month of March 1804 to the quarry in Virginia for the purpose of quarrying Stones as above said where he remained until the month of August following that he then returned to Maryland, where continued about two weeks, and again returned to Virginia where he remained