against the Defendant a free white Christian man but the Court over ruled the objection and permitted the said Richard Shorter to be sworn in the Cause and he was sworn To which the Defendant by his Counsel objected and prayed that the Court would sign and seal this bill of Exceptions which is accordingly done this 23. day of August 1813. A. Shriver (Seal) R. Nelson (Seal)

No 3. After the evidence stated in the preceding Exceptions had been offered by the petitioner the Defendant offered in evidence to the Jury that in the year 1804. and before the mother of the petitioner was carried to the district of Columbia that Thomas Spigg came to the house of Charles Hewstons in Frederick Town and said to him I have given Ester and her Children (meaning the aforesaid Ester) to Maria Hewstons, the said Maria Hewstons was then an infant of about 4 or 5. years of age The said Ester and her Children were then at the house of the said Charles Hewstons the father and natural guardian of the said Maria Hewstons and were then left in his possession by the said Thomas Spigg as the property of the said Maria Hewstons That the said Charles Hewstons held and possessed the said negro woman and her children for the said Maria as her guardian from the time of said gift and as the guardian of the said Maria Hewstons carried the said Ester and her children to George Town in the district of Columbia and continued to hold her there for the said Maria Hewstons for about two years when he returned her and her child the petitioner to the said Thomas Spigg in Frederick County in the State of Maryland where the said Ester and her child have continued ever since That the petitioner was born after the aforesaid Gift and while she was so possessed for the said Maria Hewstons That the said Maria Hewstons is still an Infant under the age of sixteen years Whereupon the petitioner by her Counsel prays the Court to direct the Jury that if they are