year 1813. Wm Shiver & R Nelson &

In addition to the Evidence stated in the preceeding Exceptions (which is to be considered as if here again inserted) the Defendant offered in evidence to the Jury by the testimony of Charles Herstons a competent witness that the said Easter the mother of the petitioner was sent by her Master the said Thomas Spigg to the house of the said Herstons a few days after the said Herstons had married the daughter of the said Spigg in the year 1797. that the said Easter continued with the said Herstons until the death of his wife in 1803 before which last mentioned time the petitioner was born being now about 13. or 14 years old a few days after the death of the wife of the said Herstons the said Spigg the master of the petitioner came to the house of the said Herstons in Frederick Town in Frederick County and said to him I have given Ester and her Children (of which the petitioner was one) to Maria Herstons the said Maria Herstons was then an infant about 3 or 4 years old and was then at the house of the said Spigg in Frederick County about 6 or 7 miles from Frederick Town and continued to reside with him until the spring of 1807. when she went to reside with her Father the said Herstons in George Town, at the time of the aforesaid declaration of Spigg to Herstons the said Ester and her children of whom the petitioner was one were then at the house of the said Herstons the father and guardian by nature of Maria Herstons and were then and there left in his possession by the said Spigg and from thenceforth were held by the said Herstons as the property of the said Maria Herstons and for her that the said Charles Herstons held and possessed in Frederick Town the said Ester and her Children