The Defendant also prayed the Court

Negro Elijah Williams } 1st. Whereupon the Counsel for the defendant

v. } prayed the Court to instruct the jury, that if they

David Stuart } believe the testimony of Thomas N Bee that his

mother Catharine Bee about the year 1812 gave to him absolutely in her life time her negro woman Esther whom he immediately removed into his possession and has ever since retained her in his possession and controlled, used and employed and claimed her as his slave for life, and if the jury further find that said petitioner was the son of said Esther and born after said gift and while his mother was as aforesaid in the possession of said Tho Thomas N Bee then the Petitioner is not entitled to his freedom, although they may find the will of of said Catharine Bee." The court having granted both prayers the Counsel for the defendant prayed leave to except to the granting of the Petitioner prayer and to the admission of the said will, in evidence and account, for the purpose for which they were offered, and that the Court would sign and seal here, this his bill of exceptions. Which is accordingly done this 20. day of Sept. 1851.

Alex. Nisbet (Seal)

Whereupon it is considered by the Court here that the said Elijah Williams the petitioner aforesaid recover his freedom of and against the said David Stuart and that he be free and discharged of and from the service of the said David Stuart and that he the said Elijah Williams go thence of free and discharged without day &c.

And it is also considered by the Court here that the said Elijah Williams recover against the said David Stuart the sum of Fifteen dollars & forty two cents by the Court here unto the said Elijah Williams adjudged on his agreement for his costs and charges by him about the prosecution of his petition aforesaid laid out and expended, and that he have thereof his execution &c.

And thereupon the said David Stuart by his attorney aforesaid prays an appeal from the judgment aforesaid &c as aforesaid rendered to the High Court of Appeals to be held at the City of Annapolis on the first Monday of December next, and the same is granted him.