

I have heard Belt call Lee master. He was always by the other slaves considered so. Reputed in the neighborhood to be a slave.

Slavery in Maryland involves servitude.

Mr. Whiting offers the Laws of Maryland from their Statute book.

1 Greenl. sec. 489.

Asa Childs,—Has practised law in Baltimore, in Maryland, they have books of law which purport to be published by authority, which are read in courts as evidence.

I did not know Jeremiah Hughes. I cannot swear that these are copies of books thus read. I have seen volumes that are read in the Courts of Maryland, that look like this. The printing looks.

I cannot say that this volume is a copy of those commonly admitted and read in evidence in their courts.

Held not sufficient.

Testimony closed.

December 26, 1848.

In Re. Joseph Belt.

Mr. Whiting argued for the demurrer.

Belt's slavery not denied by the allegation.

Court nothing to do with the manner of his capture.

Prigg's case 16 Peters.

Mr. Child's, contra.

Demurs to the return.

No averment that the laws of Maryland authorize slavery.

No such law averred or preferred.

Every presumption is in favor of liberty.

The recapture must be done without a breach of the peace or the law.

He was detained here after his arrest, and after he might have been taken away, and this claim waived.

In Re. Belt.

District Attorney for slave.

2 R. S. 654.

How long can a master detain a slave in this State without manumitting him?

Aves' case, 18 Pickering.

13 J. R. 416.

Whiting, in reply.

Serj. on Court, ch. 31, p. 387.

Glen vs. Hodges, 9 J. R. 69.

Wright vs. Deacon, 5 Ser. and Raw. 62.

Comp. vs. Griffen, 2 Pick. 11.

Vaughn vs. Williams, 3 McLean, 530.

Amendments to Constitution, art. 5.

In Re. Belt.

*Points for the claimant*

1. The owner has a right, without a warrant from any State magistrate, to take and capture his slave.