

Each of the accused men was called, in order, by the Commissioner to stand up before him; he was told of the claim against him; and he was examined, on direct leading questions by the Commissioner, being asked by him such questions as "Are you the slave of Mr.—?" "serving the alleged owner;" "Was you in his service?" "Did you escape from his service?" "Do you want to go back to him?" It was objected by their counsel that any examination of the men, and particularly in such a manner, was illegal; but the Commissioner justified it, and persisted therein, declaring that he was acting as an officer of the United States, in a capacity similar to that of an examining magistrate in a criminal case, and that he had a right in this manner to get at the truth; that it was an *ex parte* and preliminary proceeding, and the colored men could have a trial in Maryland.

The witnesses for the claimants were examined in chief by the Commissioner himself only, on direct leading questions; the claimants themselves, either as the alleged owners or their agents, being present; though this course of examination, and the manner of the questions, were objected to; the Commissioner justifying the same for the reasons above mentioned.

The Commissioner, in this manner, first called John Bell, since Lee, and his alleged master John L. T. Jones, and proposed to ask Lee if he is not Mr. Jones' slave. It was objected by McKimsey and Baine, that his admission or denial of that fact was not evidence; that it is a fact which he cannot possibly know. The Commissioner insisted however, that he will ask the question, and that, "if he admits his slavery and wants to go back, he will send him back without anything more."

Lee was confronted with Mr. Jones, and asked if he knew him. He answered affirmatively.

Mr. Baine then proposed to cross-examine him, as the Commissioner had made him a witness. The Commissioner objected. Mr. Baine asked Lee if he did not say yesterday that he was not a slave. He said he did say so yesterday. How do you know you are a slave or owe service or labor to Mr. Jones? His answer shows he knows nothing about it, except that he had lived with Jones and been taught to believe himself a slave, and had run away from him.

Branch W. Griffin, sworn, proved that Mr. Jones lives in Montgomery county, Maryland, about 20 miles S. W. of Baltimore; that he knows Lee as his slave for four or five years past, that he was publicly reported to be and considered as Mr. Jones' slave—that he engaged him at September, with three other slaves, one belonging to witness, one to Mrs. Mary E. Shaver, and one to Mrs. Esther Trundle.

On the cross examination he was asked how he knew that such was the public consideration and report, and whether he had ever heard the subject spoken upon by any one; to which he replied in substance that he had been used to see him working at Mr. Jones', also, that there are many free negroes in his neighborhood.

The Commissioner declared that the testimony was satisfactory to him, and declined hearing any discussion or proceeding with the other cases until he made out the certificate in this case, and accordingly did so.