December Term 1808

in the year of our Lord one thousand eight hundred

Issued the 4th day of June 1800

William Gibson Clk

N.B.

At which said first monday in September in the year of our Lord one thousand eight hundred Come into the County Court here the said John Hay and Margaret Hay by their attorney aforesaid and the Sheriff of Baltimore County to whom the said aforegoing writ was in form aforesaid directed maketh return thereof to the Court here that he hath taken the body of the said Walter Conner to answer unto the said John Hay and Margaret Hay as by the said writ he was commanded.

Whereupon the said Walter Conner by Zebulon Hollingsworth and John Purviance his attorneys appears in Court here and defends the force and injury when and where and saith he and prays leave of the Court here to imparle unto the Wednesday after the first monday in April next and to him it is granted the same day is given to the said John Hay and Margaret Hay also.

At which said Wednesday after the first monday in April in the year of our Lord one thousand eight hundred and one Come again into the County Court here as well the said John Hay and Margaret Hay by their attorney aforesaid as the said Walter Conner by his attorney aforesaid. Whereupon on motion of the said Walter Conner by his attorney aforesaid it is ruled by the Court here that the said John Hay and Margaret Hay declare against the said Walter Conner in the plea aforesaid or Judgment by the Court here will be rendered against them in default thereof. Whereupon the said John Hay and Margaret Hay by their attorney aforesaid pray leave of the Court here to imparle unto the first monday in September next and to them it is granted the same day is given to the said Walter Conner also.

At which said first monday in September in the year of our Lord one thousand eight hundred and one Come again into the County Court here as well the said John Hay and Margaret Hay by their attorney aforesaid as the said Walter Conner by his attorney aforesaid as the said Walter Conner Whereupon the said John Hay and Margaret Hay by their attorney aforesaid declared against the said Walter Conner in the plea aforesaid in form following towit.

Baltimore County ss Walter Conner late of Baltimore County was attached to answer unto John Hay and Margaret Hay of a plea of trespass upon the case and &c. And Whereupon the said John and Margaret who are infants under the ages of twenty one years by Robert Saunders their next friend Complain that whereas they the said John and Margaret on the first day of December seventeen hundred

December Session 1808

hundred and ninety nine at the County aforesaid were possessed of a certain Mulatto man slave called by the name of James Perry of a large price to wit of the price of two hundred pounds Current money as of their own proper goods and chattels and being so possessed thereof. They the said John and Margaret afterwards to wit on the same day and year aforesaid at the County aforesaid casually lost the same Mulatto male slave called James Perry out of their hands and possession which said Mulatto male slave afterwards to wit on the same day and year last aforesaid at the County aforesaid came into the hands and possession of the said Walter by finding the same yet the said Walter knowing the said Mulatto male slave called James Perry to be the property and the goods and chattels of the said John and Margaret and to them of right to belong and appertain and intending to defraud them the said John and Margaret in this behalf (although often requested so to do at the County aforesaid) hath not yet delivered to the said John and Margaret the said Mulatto male slave called James Perry but the said Walter the said Mulatto male slave afterwards to wit on the said first day of December in the year aforesaid at the County aforesaid to his own proper use converted and disposed to the damage of the said John and Margaret in the sum of three hundred pounds Current money Wherefore suit is brought &c.

Nicholas Bruce for Plaintiff.

Whereupon the said Walter Conner by his attorney aforesaid as before defends the force and injury when and where and saith that he is in no wise guilty of the premises above against him imputed as the said John Hay and Margaret Hay above against him have declared and of this he puts himself upon the Country and so doth and the said John Hay and Margaret Hay in like manner and so doth. Therefore let a Jury thereupon appear before the Court here on the first monday in February next agreeably to act of Assembly in such case made and provided the same day is given to the parties aforesaid their and there to hear and do their duty when now at this day to wit the said first monday in February in the year of our Lord one thousand eight hundred and two Come again into the County Court here as well the said John Hay and Margaret Hay by their attorney aforesaid as the said Walter Conner by his attorney aforesaid: and they Jurors of the Jury whereof mention is within made being called Come that is to say James Morton, John Merryman, Richard Bolt, Isaac Harrison, Jacob Stansbury, Samuel Tipton, Joseph Wheeler, Jacob Small, Edward Jeffry, Thomas Mumma, William Lovett and William Stevenson who being elected tried and sworn to say the truth of and upon the premises within contained on their oath do say that the said Walter Conner is not guilty of the premises within laid to his charge in the declaration aforesaid as the said Walter Conner within in pleading thereupon hath alleged.