617 And now here at this day to wit the 6th day of [illegible] Anno Dom 1712 as found at well the said Negro
Jupiter a free Negro by his Bodley and Daniel Dullany his attorneys as the said Philemon Hemsly and Mary his wife
& Wood[illegible] Rumbold their attorney before her majtys Justices of this prov[incial] Court here and thereupon the said Philemon
Hemsly and Mary his wife by their attorney aps defend the force and injury when & [illegible] pray Leave to imparle &
Verdict until next Court Laid they have it and thereupon to this plea Ans[wer] Attwhich said
next Court to wit the 6th day of October Anno Dom 1712 Come again as well the said Negro Jupiter here
Negro by his attorneys aps & the said Philemon Hemsly and Mary his wife by their attorney aps & thereupon
the said Negro Jupiter by his attorney pray that forasmuch as the said Philemon Hemsly and Mary &
wife have not given special bail in this plea aps according to the forme of the statute in this
[illegible] quia &c for a respondeas aps the said Philemon and Mary in this plea aps And hereupon for that it seems
to this Court here that the said Philemon and Mary his wife have not given special bail in this
Alledged Therefore it is Commanded the Justices of the said County Court that they proceed in the action aps as if the said writt & Habeas Corpus had never been issued any thing thereon
Contained to the contrary not withstanding And it is ord[ered] by the Court here at the prayer of the said
667 pl[ain]t by his attorneys aps that the said Philemon Hemsly and Mary his wife the defend[an]ts pay unto
said Negro Jupiter the pl[ain]t the sume of
pounds of Tob[acco] by the last Court
here adjudged unto him for his costs and charges accrued by occasion of the premises aps &c

673. Jupiter a free Negro } Imon[ition] ye 5th day of Octob[er] 1712 at the house of Philemon Hemsly & Mary his wife
&c. } } obteined for Mary the writt of Hab[eas] Cor[pus] & the tenor of wch follows in
Philemon Hemsly & Mary } these words (viz[t])
his wife }

Mary by the Grace of God of great Brittaine France & Ireland Queen Defend[e]r
of the Faith &c To the Justices and Sheriff of Charles County Court greeting Whereas a certain
Philemon Hemsly and Mary his wife are detained in the prison of our County under the
custody of your selves at the suite of one Jupiter a free Negro as it is said
and [illegible] Imprisonment which he the said Negro is to answer before you our Justices (as it is said)
Tho[ugh] undetermined And we being willing for divers Causes that the plea & the matters undetermined &
aforesaid shall be heard & determined before you our Justices of our said Court, We therefore Command
you on the faith that you owe to us that you have the body of the said Philemon Hemsly & Mary his wife by what soever
Cognomen they be called in the plea aforesaid together with the day & Cause of their
Caption & detainer and all things thereunto relateing before you our Justices of our said Court
to be held at the City of Annapolis on the third Tuesday of July next that the Justices of our
said Court may further proceed therein to do [illegible] appertaining, hereof fail not & have
you then & there this Writt, Witness Wm Tooke[illegible] Esqr Chief Justice of our said Court
this 30th day of May in the 11th Year of our Reign & Anno Dom 1712

30th May 1712 Allowed by Jno Gooing Just[ice] pro Cur[ia] (Wm Smith) Jno Roberts Clk

At a Third Tuesday of July Writt ye 15th day of the same Month Anno Dom 1712
ye Justices & Sheriff Returne ye Writt as in Compliance with ye Writt & ye following
Indorsm[ent] (viz[t])

Charles County ss / At a County Court of our Sovereign Lady Anne by the Grace of God of great
Brittaine France & Ireland Queen Defender of the Faith &c held at Portobacco in said
County on the Fourth Day of June in the Eleventh Year of our Reign Anno Dom 1712
before the Worshipfull Tho[mas] Tasker Jun[ior] Esqr
Robert Yates } Capt Tho[mas] Vowles
Gerrard Fowkes } Capt Tho[mas] Craik
Gould Justices Authorized / Edmund Howard
Capt Tho[mas] Dent high Sheriff

Amongst the Records of said Court Proceedings is Contained as Viz[t]

Jupiter a free Negro }
agt } False Imprisonm[en]t
Philemon Hemsly }
& Mary his Wife }

Charles County ss. Anne by the Grace of God of great Brittaine France & Ireland Queen
Defender of the Faith &c To the Sheriff of Charles County Greeting, We Command you that
you take Philemon Hemsly late of Charles County Gent and Mary his Wife late
called Mary Tasker Widdow if they shall be found in your County & them safe
keep so that you have their Bodies before the Justices of our next Court to be holden at
Portobacco the second Tuesday of March next to answer unto Jupiter a free Negro of a plea
wherefore with force & Armes &c the 4th day of March Anno Dom 1711 the said Jupiter at Charles County aforesaid
took Imprisoned and Evill handled him in prison against the Law & Customs of the Kingdom
of England & this the Grievance of Mary then did long detaine and other wrongs to him
did to the great damage of the said Jupiter and against the peace of our Soveraign Lady the
Queen that now is, Whereof he the said Jupiter saith he is the worse & hath damage to the
value of Fifteen thousand pounds of Tobacco And therefore he brings this Suite &c
Witness this Writt, Witness Wm Tooke[illegible] Esqr Chief Justice of our said Court
23. day of November Anno Dom 1711 in the 10th Year of our Reign

Jno Lewellin Dep[uty] Jno Rogers Clk

618 And now here at this day (to wit) ye 6th & Eleventh day of March Anno Dom 1712 as found
Jupiter by Richard Lewellin his Attorney offered him self ye 4th day of
Hemsly & Mary his wife of the plea & Suit aforesaid & the Sheriff hath returned that he
taken the body of the said Philemon Hemsly & Mary his wife & hath their
& ye same hath here ready

Thos Dent Sherr

And ye said Philemon Hemsly & Mary his wife by Cornelius White their
come & defend ye force & injury when & pray Leave to imparle unto
Writt & Declaration & to which they have it and ye 9th day of June next
and they have it and ye 9th day is given to the Negro Jupiter here &c

Charles County ss / Philemon Hemsley late of Charles County Gent and Mary his Wife late
Called Mary Tasker Widow were Attached to answer unto Jupiter a free Negro of
wherefore with force & Armes &c the 4th day of March Anno Dom 1711 the said Jupiter at Charles County aforesaid
took Imprisoned & Evil handled him in prison against the Law & Customs of the Kingdom
of England & this the Grievance of Mary then did long detaine & other wrongs to him
did to the great damage of the said Jupiter against the peace of our Soveraign Lady the Queen
that now is &c And thereupon the same Jupiter by Richard Lewellin his Attorney
doth Complaine that whereas the said Mary while she was the Wife of Charles
Anno Dom 1711 at Portobacco in Charles County aforesaid within the Jurisdiction of this Court took Imprison
& Evil handled and him the said Plaintiff in prison there from the said day of March
Mary Dom 1711 unto the day of the Writt of Habeas Corpus thereupon issued
did detaine to the great damage of the said Jupiter against the peace of our said Lady the
Fifteen thousand pounds of Tobacco And therefore he brings this Suite &c

And now here at this day (to wit) ye 6th day of June Anno Dom 1712 as
Attorney & Cornelius White Gent Attorney for the said Philemon Hemsley & Mary his Wife
produced & ye Court here further by their Attorney aforesaid
Mary by the Grace of God of great Brittaine France & Ireland Queen Defend[e]r of the Faith &c
(Writt of Habeas Corpus) to the Sheriff of Charles County Greeting, Whereas we lately
Philemon Hemsley and Mary his wife are detained in the prison of our County
under the Custody of you our Sheriff at the suite of one Jupiter a free Negro
in a plea of Trespass & false Imprisonment whereof he the said Negro is to answer before you our Justices (as it is said)
that you have the said Negro at the day & place aforesaid (as it is said) Tho[ugh] undetermined And we being willing
Justices of our said Court that the plea & the matters undetermined & aforesaid
the body of the said Philemon Hemsley and Mary his Wife by what soever Cognomen
they be called in the plea aforesaid together with the day & Cause of their Caption
& detainer and all things thereunto relateing before you our Justices of our said Court
to be held at the City of Annapolis on the third Tuesday of July next that the Justices of our
said Court may further proceed therein to do [illegible] appertaining, hereof fail not & have
you then & there this Writt, Witness Wm Tooke[illegible] Esqr Chief Justice of our said Court
this 30th day of May in the 11th Year of our Reign & Anno Dom 1712

30th May 1712 Allowed by Jno Gooing Just[ice] pro Cur[ia] (Wm Smith) Jno Roberts Clk

Which being read & Allowed It was Ord[ered] that the Clerk Certifie the Record
with the Cause & Action aforesaid to the Justices of the next Provincial
Court at the City of Annapolis as by the Writt is Commanded & that the Sheriff do
the Writt aforesaid & Return thereof as by the Writt is directed & required

Vera Copia Jno Roberts Clk

And now here at this day to wit ye 15th day of July Anno Dom 1712 as
the Negro Jupiter by Tho[mas] Bordley & Dan[iel] Dulany his Attorneys
Philemon Hemsley & Mary his Wife by Cornel Hunt their Attorney before
the Writ by their Attorney aforesaid & thereupon the said Philemon Hemsley & Mary
to the Writ by their Attorney aforesaid & thereupon the said Jupiter
with the Writ (to wit) ye 7th day of October Anno Dom 1712 came again & the
and Mary his Wife by their Attorney aforesaid & thereupon the said Philemon Hemsley
aforesaid & produced that Forasmuch as the said Philemon Hemsley & Mary his wife
have not given Security by Writt of Habeas Corpus according to the Forme of the Statute
whereupon for that it seems to the Court here that the said Philemon & Mary in the plea aforesaid
have not given Security by the Writt aforesaid & the same is returned
of the said County Court & they have it & the said Philemon & Mary his wife
after the said Writt of Habeas Corpus had never issued, they any thing thereon
Contained to the Contrary notwithstanding, And it is ord[ered] by the Court here at the
Jupiter of the said Writt & that the said Philemon Hemsley & Mary
667 his Wife the Defend[an]ts pay unto the said Negro Jupiter the pl[ain]t the sume of
pounds of Tob[acco] by the last Court here adjudged unto him for his Costs &
Charges accrued by occasion of the premises aforesaid &c