36. same Day is given to the Plaintiff also. At which said next Court towit the Day of April Anno Domini 1766 comes again as well the said parties Plaintiffs and Defendants by their Attorneys aforesaid and the said Defendants by their said Attorney Pray further leave to imparle hereunto until next Court and they have it and the same Day is given to the Plaintiffs also. At which said next Court towit the third Tuesday in October Anno Domini 1766 comes again the said Richard Clay & Thomas Midgley by their Attorney aforesaid and the said Richard Clay & Thomas Midgley by their said Attorney pray that the said Thomas Contee and Henry Tendall Executors as aforesaid to their Declaration aforesaid in the plea aforesaid may answer but the said Thomas Contee and Henry Tendall Executors as aforesaid altho Solemnly called comes not but makes Default Whereby the said Richard Clay & Thomas Midgley remains against the said Thomas Contee & Henry Tendall Executors as aforesaid Wholly indefended Therefore it is considered by the Justices here that the said Richard Clay & Thomas Midgley recover against the said Thomas Contee and Henry Tendall Executors as aforesaid as well the sum of One hundred and Eighty one pounds fifteen Shillings and three pence three farthings Sterling certain Damages as also the sum of

120 ℔ Pounds of Tobacco by the Court here unto them on their Agreement adjudged for their Costs and Charges by them about their Suit in this behalf laid out and expended to be Levied of the goods and Chattels which were of the said Benjamin Tendall at the time of his Death in their hands remaining to be administered and which to the Hands of the said Thomas Contee and Henry Tendall Executors as aforesaid hereafter shall come to be Administred And the said Defendant in Mercy &c

Test Reverdy Ghiselin Clk

M. T. 6. Mary Johnson & others against
T. R. 16. John Beveridge . . . .

Be it Remembered that heretofore towit the twenty third Day of April Anno Domini 1764 the Defendant sued out his Lordships writ of Habeas Corpus the Tenor Whereof follows in these words Viz: Maryland towit Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c To the Justice and Sheriff of Calvert County Greeting Whereas a certain John Beveridge of Calvert County Taylor is detained in the Prison of our said County under the Custody of you our said Sheriff at the suit of a certain Mary Johnson Susannah Johnson and Sarah Johnson of a plea of Trespass which said plea as it is said still depends before you our said Justices undetermined and We being Willing for divers Causes that the plea aforesaid undetermined as aforesaid shall be heard and Determined before the Justices of our Provincial Court therefore we command you that you have the Body of the said John Beverage by whatsoever Name the Party be called in the plea aforesaid together with the Day and Cause of his Caption and cause of his Caption and Detainer and all things thereunto relating (before)

37 before the Justices of our Provincial Court to be held at Annapolis the Second Tuesday of September Next that our said Justices may further proceed therein as to Justice appertains and so forth Hereof fail not at your Peril and have you there this writ Witness W Brice Esquire Chief Justice of our said Court the 10th Day of April in the 17th Year of our Dominion &c And in the Year our Lord Seventeen hundred and Sixty four Issued the 23d Day of April 1764 (J Johnson) Reverdy Ghiselin Clk

Allowed J John Brice

At which said Second Tuesday of September towit the Eleventh Day of the same Month Anno Domini 1764 being the Day + + + + of the return of the aforegoing writ the Justices and Sheriff in Compliance with the writ aforesaid make return thereof to the Court here thus Endorsed Viz: Calvert County ss: To the Honble the Justices of the Provincial Court I hereby humbly certify that before the receipt of the within writ the within named John Beveridge was at Large and not detained in my Prison at the suit of the also within named Mary Johnson Susannah Johnson and Sarah Johnson Nevertheless I have here the Body of the said John Beveridge with the Cause of his Caption and Detainer before the Justices aforesaid on the Day and place within mentioned as by the writ aforesaid to me it is commanded So Answers Truman Shimer Sheriff

The residue of the Execution of the within writ lyes in a transcript of a Record of the Proceedings hereunto annexed Test W Ireland Clk Com Cal Coty

Which Record and Proceedings mentioned in the aforegoing return follow in these Words Viz:

Calvert County ss: June Term Anno Dom 1764

At a County Court of the Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore &c held at Prince Frederick Town in and for said County the third Tuesday & 19th Day of June in the 18th Year of his Lordships Dom &c

Before

James Weems . . . William Ahnett . . . .
Davis Arnold . . . . Samuel Chew . . . .
Young Barran . . . . and
Charles Graham . . . James Somerville . . .

} Worshipfull Gent Justices by his said Lds Comm of the Peace in and for the said County Lawfully Assign &c

Truman Shimer Gent Sheriff

W Ireland Clk

In the Records and Proceedings of the said County Court amongst others is found the following Proceeding Viz:

T. C. Mary, Susannah & Sarah Johnson against
I. K. John Beveridge . . . . . .

Accon of Trespass Amount ℔ Hab Corpus & Pro Cost

Precept was given to the Sheriff of Calvert County that he should take John Beveridge late of Calvert County Taylor if in his Bailiwick he should be found & him should safe keep so that he might have his Body before the Justices of his Lordships the Right Honble the Lord Proprietary County Court to be held at Prince Frederick Town in the County aforesaid the third Tuesday in March then next to answer unto Mary Johnson, Susannah Johnson and Sarah Johnson of a plea Wherefore with force & arms the Close of them the said Mary Susannah and Sarah at Christ Church (Parish)