Calvert County Greeting we Command you that you take Mary Parker late of Pillington in Calvert County wid.o Executr of the last will and testament of John Parker late of Calv. County Gent. deed if she should be found in his bailywick and her safe keep so that she should have her body before the Justices of Our County Court to be held at Calvert towne the third tuesday in June then next to answer unto Thomas Tongue of a plea of trespass upon the Case &c. fail not and have you then there this writt Witness John Leach Gent. Chief Justice of Our said Court this 19th day of March in the 11th year of our reigne Anno Domi 1711. R. Dallam. E. Bolsler Clk.

At which said third tuesday in June to wit the 17th day of the same month Anno Domi 1712 Came the said sheriff of Calvert County to wit John Smith Gent. & made return thereof indorsed. Exec. per Jn. Smith Shff.

Calvert County ss. Mary Parker late of Pillington in Calvert County wid.o Executr of the last will and testament of John Parker late of Calv. County Gent. deed was attached to answer unto Thomas Tongue of a plea of trespass upon the Case &c.

Whereupon the same Thomas by Richd Dallam his attny complaining that whereas the same John Parker in his Lifetime to wit the twenty fourth day of Jandy Anno Domi 1710 at Calvert County aforesd within the Jurisdict. of this Court stood Justly indebted to the said Thomas in the summe of fourteen thousand three hundred forty five pounds of tobacco being as well for diverse goods & Merchandizes by the said Thomas to the said John sold and delivered and for tobacco paid by the said Thomas to sundry persons for the said John at his special Instance & request as by the particular account thereof thereunto annexed may appear And being so indebted the said John in his Lifetime in Consideration thereof assumed upon himself and to the said Thomas then & there faithfully promised that he the same John the said summe of fourteen thousand three hundred forty five pounds of tobacco unto the said Thomas when he should be afterwards thereto required he would well & truly Content and pay and altho. the said John in his Lifetime did satisfie and pay to the said Thos. four thousand seven hund. fifty five pounds of tobacco part of the aforesd summe of fourteen thousand three hundred forty five pounds of tobacco yet as to nine thousand five hundred and ninety pounds of tobacco residue thereof the

same

same John in his Lifetime and the said Mary since his death the promise and assumpt. of the said John in his Lifetime so as aforesd made not regarding but designing and fraudulently intending the same Thomas in this part craftily and subtilly to deceive and defraud the said remaining summe of nine thousand five hundred and ninety pounds of tobacco unto the said Thomas they have not nor hath either of them paid altho. the said John in his lifetime the day year and place aforesd and the said Mary after the death of the said John the 10th day of October Anno Domi 1711 at Calvert County aforesd and divers other days and times often thereto required but the same to pay have denyed and the said Mary still doth deny and refuse to the damage of the said Thomas twelve thousand pounds of tobacco & therefore he brings this suit &c.

R. Dallam Plegd. Jno. Dod Rid. Roe

Whereat this day to wit the 17th day of June Anno Domi 1712 Came the said Mary Parker Exr. of the said John Parker by Richd Hunt her attny & appears & prays Leave to Imparle hereunto until next Court and she hath it and the same day is given to the plaintiff also. At which said next Court to wit the 19th day of Aug.t Anno Domi 1712 Comes again as well the said Thomas Tongue by his attny aforesd as the said Mary Parker by her attny aforesd & the said Mary Parker by her said attny prays further Leave to Imparle hereunto until next Court and she hath it and the same day is given to the plaintiff also. At which said next Court the twenty first day of November Anno Domi 1712 Comes again the said Mary Parker by her attny aforesd & produced to this Court here her majtys writt of Habeas Corpus which was awarded & allowed by the Court the tenor of which follows in these words viz.t Anne by the grace of God of Great Britt. France and Ireland Queen defender of the faith &c. to the Justices and Sheriffs of Calv. County Greeting Whereas a Certain Mary Parker wid. &c. of the last will and testament of John Parker deed is detained in the prison of our said County under the Custody of you our said sheriff at the suit of a Certain Thomas Tongue in a plea of trespass on the Case &c. which said plea still depends before you our said Justices as it is said undetermined and we being willing for divers Causes that the plea aforesd undetermined as aforesd shall be heard and determined before the Justices of our prov.l Court We therefore Command you our said sheriff that you have the body of the said Mary Parker Exr. as aforesd by whatsoever name she be called in the plea aforesd together with the day & Cause of her Caption detention and all things thereunto relating before the Justices of our prov.l Court to be held at Annapolis the second tuesday

(of)