James Swann
against
Thomas Harwood

Be it remembered, that heretofore, to wit, on the sixteenth day of June, in the year of our Lord, one thousand seven hundred and eighty seven, Thomas Harwood by Henry Ridgely his attorney sued out of the General Court here the State of Maryland's writ of Habeas Corpus, directed to the Justices and Sheriff of Calvert County, in the words and figures, following, to wit —

The State of Maryland Sc. To the Justices and Sheriff Calvert County Greeting. Whereas Thomas Harwood 3rd is detained in the prison of our said County under the custody of you our said Sheriff, at the suit of a certain James Swann in a plea of Debt and so forth which said plea still remains before you our said Justices, undetermined as it is said and we being willing for divers causes that the plea aforesaid undetermined as aforesaid should be heard and determined before the Judges of our General Court do therefore command you that you have the Body of the said Thomas Harwood 3rd by whatsoever named he be called in the plea aforesaid together with the day and cause of his caption and detainer and all things thereunto relating before the Judges of our General Court to be held at the City of Annapolis on the second Tuesday of October next, that our said Judges being rightly informed of the truth of the premises may further proceed therein as to Justice appertains and so forth and have you then and there this writ. Witness Robert Hanson Harrison Esquire Chief Judge of our said Court the 25th day of May Anno Domini 1787 — Issued the 10th of June 1787 — (H. Ridgely, Thos B. Hodgkin Co.)

And now here, at this day, to wit, the said second Tuesday of October being the ninth day of the same Month, in the year of our Lord, one thousand seven hundred and eighty seven, and the day of the return of the aforegoing writ, the Justices and Sheriff of Frederick County, to whom the same writ was made and directed in pursuance thereof transmitted to the Court here the following Record, to wit —

Maryland Sc. At a County Court begun and held at Prince Frederick Town in and for Calvert County on the Monday before the third Tuesday in June being the Eighteenth day of the same Month Anno Dom. 1787 —

Present

Samuel Chew — Joseph Wilkinson
Daniel Rawlings — John Grahame

Gentlemen Justices of the Peace Lawfully Commissioned, authorised assigned and so forth —

William Allein Gent Sheriff — James Morsell Junr Clk.

Were the following proceedings

A.T. James Swan
vs.
Thomas Harwood 3rd & George Naylor Junr.

Command was given to the Sheriff of Calvert County, that he should take Thomas Harwood 3rd and George Naylor Junr late of Calvert County Gent. otherwise called Thomas Harwood 3rd and George Naylor Junr of Prince Georges County



and State aforesaid if they should be found in his bailiwick and them safe keep so that he might have their bodies before the Justices of Calvert County Court to be held at Prince Frederick Town in the County aforesaid the Monday before the third Tuesday in June next to answer unto James Swann of a plea that they render unto him the full and just sum of Twenty one thousand, eight hundred and ninety pounds of Crop Tobacco which to him they owe and unjustly detain and so forth, and that thereof he the said Sheriff should not fail and should have then and there that writ &c and the aforesaid James Swann declares against the said Thomas Harwood 3rd in the plea afs. as follows, to wit

Calvert County Ss. Thomas Harwood 3rd and George Naylor Junr late of Calvert County planter otherwise called Thomas Harwood 3rd and George Naylor Junr of Prince Georges County and State of Maryland was summoned to answer unto James Swann of a plea that they render unto him the full and just sum of Twenty one thousand, eight hundred and Ninety pounds of Crop Tobacco which to him they owe and unjustly detains and so forth — And whereupon the said James Swann by John A Thomas his attorney saith that whereas the afs. Thomas and George on the eighteenth day of November in the year seventeen hundred and eighty one at Calvert County afs. by their certain writing obligatory which the said James brings here into Court sealed with the seals of them the said Thomas and George the date of which is the day and year aforesaid acknowledged themselves to be held and firmly bound unto the said James in the aforesaid sum of Twenty one thousand eight hundred and Ninety pounds of Crop Tobacco to be paid to the said James when they should be thereunto afterwards requested Nevertheless the said Thomas and George altho often required hath not rendered or paid to the said James the aforesaid sum of Twenty one thousand eight hundred and Ninety pounds of Crop Tobacco but hitherto hath altogether refused and still doth refuse to render the same to him and unjustly detains wherefore he the said James saith he is the worse and hath damage to the value of fifteen thousand pounds of Tobacco and therefore he brings suit and so forth —

N Thomas for the Pltff. Pledges &c so forth — John Doe Richard Roe —

At which said Monday before the third Tuesday in June, to wit, the Nineteenth day of the same Month Anno Dom. 1788 being the day of the return of the aforegoing writ, comes the said James Swann by John A Thomas his attorney and the Sheriff of Calvert County to whom the same writ was directed likewise comes and makes return thereof to the Court here thus endorsed, to wit

"Cepi Corpus in time Thomas Harwood 3rd N.C. George Naylor
Wm. Allein Sheriff

And the aforesaid Thomas Harwood 3rd being called upon appears, Thereupon at the prayer of the Plaintiff by his attorney aforesaid, the said Thomas Harwood 3rd is adjudged to give Special bail to the action aforesaid — Whereupon a certain Thomas Parran and Daniel Hunt both of Calvert County present here in Court in their proper persons severally and severally undertakes for the said Thomas Harwood 3rd that if it shall