Trespass on the Case and so forth 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 should be heard and determined before the judges of our General Court therefore we Command you that you have the body of the said Peter Conn by whatsoever name or names he may be called in the plea aforesaid together with the cause of his Caption and detention and all things thereunto relating, before the judges of our General Court to be held at the City of Annapolis the second Tuesday of May next that the Judges of our said General Court may further proceed therein as to justice appertains and so forth.

Hereof fail not at your peril, and have you then and there this writ. Witness the honourable Samuel Chase Esquire, Chief Judge of our said Court the day of October Anno domini 1795.

Issued the 26th day of October anno Domini 1795.

J. J. M. Jno. Gwinn Clk.

Which aforegoing writ of Habeas Corpus being seen and allowed by the Court. It is thereupon ordered that all things relating to the premises be transmitted accordingly.

Test Elie Williams Clk.

Maryland Washington County Set.

In Testimony that the aforegoing is a true Copy from the records of proceedings of Washington County Court. I have hereunto set my hand and affixed the publick seal of my office this Second day of May Anno Domini seventeen hundred and ninety six.

Elie Williams Clk. of Washington County Court.

And now comes into the General Court here as well the said John Funk by Arthur Shaaff his attorney as the said John Funk Peter Conn by John Thomson Mason his attorney: Whereupon on motion of the said Peter Conn by his attorney aforesaid, it is ruled by the Court here that the said John Funk give security for the Costs of suit in the plea aforesaid by the ~~said~~ second tuesday of October next, or judgment by the Court here will be rendered against him in default thereof: And the said Peter Conn by his attorney aforesaid, defends the force and injury, when and so forth, and saith that he is not Guilty of the premises laid to his Charge and set forth in the Declaration aforesaid of the said John Funk within

within mentioned in manner and form as the said John Funk above Complains against him and of this he puts himself upon the Country, and the said John Funk in like manner; Therefore let a Jury thereon appear before the Court here on the said second tuesday of October next, by whom and so forth and who neither and so forth to recognize and so forth because as well and so forth the same day is given to the parties aforesaid then and there and so forth.

At which said second tuesday of October being the Eleventh day of the said month in the year of our Lord one thousand seven hundred and ninety six come again into the General Court here as well the said John Funk by his attorney aforesaid, as the said Peter Conn by his attorney aforesaid. Whereupon comes into Court here in his proper person John Geiger of Washington County and undertakes for the said John Funk that if the said John Funk in the plea aforesaid shall be non suited or from maintaining his action aforesaid shall be precluded then the said John Funk shall pay unto the said Peter Conn all such costs and Charges by him about his defence in this part sustained which shall be adjudged unto the said Peter Conn by the Court here or that he the said John Geiger will do the same for him. And the said John Funk by his attorney aforesaid offers himself ready for trial in the plea aforesaid; thereupon the said Peter Conn by his attorney aforesaid suggests to the Court here that he cannot safely proceed now here to the trial of this Cause and files in Court here the Affidavit in form following, to wit.

John Funk Plaintiff against Peter Conn Defendant	An Action on the Case Peter Conn the Defendant in this cause maketh oath that he believes Catherine Brinkley of Washington County a material and competent witness for him in this cause that he cannot go safely to trial without the benefit of her testimony, and that he expects to procure the ~~same~~ benefit of her testimony at the next term.

That he expects to prove by the said Catherine that John Funk the Plaintiff and Susanna his wife lived very unhappily together for many years past and before this defendant became acquainted with either of them

That John Funk the Plaintiff for a considerable time previous to the seperation of himself and wife kept a certain Susanna Earhayne in his house with whom he lived in adultery.

That the said Susanna the wife of the said John Funk remonstrated with