Execution thereof &c. James Earle jun. Clk.

Judgment affirmed 9th September nisi Stay execution till first January next.

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**Joshua Sturgis against Joshua & Patience**

Be it remembered that on the ninth day of April, in the year seventeen hundred and ninety four, the Chief Justice & his Associate Justices of Worcester County Court, in pursuance of an Act of Assembly in such case made & provided, transmitted to the General Court here the record & proceedings of a plea which lately depending before them in our said County Court between Joshua & Patience Petitioners and Joshua Sturgis Defendant wherein the same Court gave Judgment for the said Patience & Joshua against the said Sturgis from which said Judgment the said Joshua Sturgis prayed an appeal to the General Court here, the tenor of which said Record of proceedings ensues, to wit — In the Record and Proceedings of Worcester County Court among other matters and things it is contained as follows viz^t. Worcester County, Set. At a County Court of the State of Maryland held at Snow Hill Town in and for the County aforesaid the second Monday of June, to wit the tenth day of the same month Anno Domini Seventeen hundred and ninety three. were present The honorable John Done Esquire Chief Justice & William Morris and John Selby Purnell Esquires Associate Justices — George Purnell Esq^r Sheriff — James Morris Clk.

**Joshua and Patience vs Joshua Sturgis**

The following Petition being preferred to the Court at June Term Anno Domini Seventeen hundred and ninety two, the same was read in open Court in these words following, to wit. To the Honorable Justices of Worcester County Court the Petition of Negroes Joshua and Patience humbly sheweth that they being entitled to their freedom by virtue of the Act of Assembly of this State entitled "An Act to prohibit the bringing Slaves into this State" have been unjustly and illegally deprived of their liberty by a certain Joshua Sturgis they therefore implore your honors humane attention to their distressing situation and that you will grant them such relief as is consistant with the Land and your Petitioners as in duty bound will ever pray &c — Joshua and Patience —

Whereupon by order of Court command was given to the Sheriff of Worcester County that he should summon the said Joshua Sturgis if he should be found in his Bailiwick to appear before the Honorable Justices of Worcester County Court at the next Court by them to be held at Snow Hill Town in and for the County af^d. the fourth Monday of November then next following, to answer the Petition af^d. At which said fourth Monday of November came again the aforesaid Joshua and Patience by Isaac Purnell Gentleman their Attorney, and the Sheriff to wit George Purnell Gentleman now here returned that he had summoned the af^d Joshua Sturgis as he by the foregoing writ of summons was commanded upon which the said Joshua Sturgis came here into Court and puts in his place William Polk Gentleman his Attorney at Law — upon which at the request of the parties af^d. by their Attorneys af^d. day is to them now here given until the next Court to be held at Snow hill Town in and for the County af^d. the second Monday of June then next following in the same state as at present saving the parties aforesaid here and forth — At which said second Monday of June came again the parties aforesaid by their Attorneys af^d. whereupon the Court having heard the Petition aforesaid and the testimony to them produced by the parties af^d. and considered the same are of opinion that the said Joshua and Patience are entitled to their freedom and do accordingly adjudge and determine that the said Joshua and Patience are free whereupon the said Joshua Sturgis by his Attorney af^d. prays an appeal from the Judgment of the Court so as af^d. given against him unto the next General Court to be held at Talbot County Court house the second Tuesday of September then



next following which is by the Court here unto him the said Joshua Sturgis granted and expunged. Upon which it is by the said Court now here ordered that the said Joshua Sturgis enter into recognizance with good and sufficient security in the sum of two hundred pounds Current money of Maryland for the personal appearance of the said Joshua and Patience the Petitioners af^d. at the next General Court af^d. Thereupon came here into Court a certain John Buchanan of Worcester County and being so present in his proper person before John Done Esquire and his Associates Justices of the said County Court of Worcester and acknowledged himself with the said Joshua Sturgis to owe and stand justly indebted unto the State of Maryland in the sum of two hundred pounds current money of Maryland on his body goods and Chattels Lands and Tenements for the use of the said State to be made and levied if default be made in the Condition hereunder written — The Condition of the above recognizance is such that if the above said Joshua and Patience the Petitioners af^d. shall make their personal appearance at the next General Court to be held at Talbot County Court house the second Tuesday of September next that then the above recognizance to be void else to remain and be in full force and virtue in Law.

James Morris Clk.

The following is a copy of the statement of the case as stated by the parties af^d by their Attorneys af^d.

**Negro Patience & Negro Joshua vs Joshua Sturgis**

Petition for freedom. Case Stated. — The Counsel for the Petitioners and the Counsel for the Defendant in this cause agree upon and admit the following facts subject to the opinion of the Judges of the General Court on the statement of the following Case to wit That the said Joshua Sturgis being a Citizen of Worcester County in the State of Maryland was married to Miss Joanna Gray in the year of our Lord Seventeen hundred and eighty Seven who was then and there possessed of the Petitioners af^d as her Slaves and property, that the said Petitioners had then and there previous to the Marriage af^d and to the time of bringing the said petitioners into the State of Maryland resided three years in the state of Virginia that the said Joanna had been and was then at the time of the Marriage af^d a Resident and Inhabitant of Accomack County in the State of Virginia and that the said Joanna about four days after her Marriage af^d. came into the State of Maryland with a Bona fide intention of residing therein and brought with her the af^d Petitioners into the said State of Maryland where she the said Joanna and the said Petitioners have continually resided and do still continue to reside if from the said statement of facts the Court should be of opinion that the said Petitioners are entitled to freedom then the Counsel for the Defendant af^d. hereby agrees that Judgment shall be immediately rendered against the said Joshua Sturgis but if on the Contrary the Court should be of opinion that the said Petitioners are not entitled to freedom by the laws of the Country then the Counsel for the Petitioners in this cause do hereby agree that the said Petitioners be immediately dismissed. Wm Polk for Deft.

Isaac Purnell for Petitioners

Worcester County in the State of Maryland, to wit — } I hereby certify all whom it may concern that the foregoing is a true transcript of the proceedings of the County Court af^d on the petition of the above mentioned negroes Joshua and Patience against Joshua Sturgis as also a true copy of the state of the case agreed by their Attorneys af^d. In Testimony whereof I have hereunto set my hand and affixed the Seal of my Office this second day of April Anno Dom^i 1794. James Pollitt Clk of Wor. City Court.

Whereupon came here into Court as well the said Joshua Sturgis by Josiah Bailey his Attorney as the said Joshua & Patience, and it was ordered by the Court here that a Writ of Diminution should issue &c — whereupon the process upon the premises between the Parties af^d was continued by order of the Court here until the second Tuesday in September then next following —