Stephen White

against

Littleton Townsend

and Thos Robertson & Charlotte his wife heirs & Devisees of William B. Townsend & Sarah Townsend heirs of Joshua Townsend

Be it remembered that the Defendants in this cause by William Whittington their Attorney, prosecutes and sueth forth out of the General Court here, the following writ of the State of Maryland of Habeas Corpus to wit.

The State of Maryland. To the Chief Justice and his associates, Justices of Worcester County Court, and to the Sheriff of Worcester County Greeting: Whereas a certain Littleton Townsend & Thomas Robertson and Charlotte his wife, heirs & Devisees of Joshua Townsend & William Barclay Townsend & Sarah Townsend & Sarah Townsend heirs of Joshua Townsend are descended in the prison of our said County under the custody of you our said Sheriff at the suit of a certain Stephen White of a plea of Trespass upon the case &c. forth. which said plea as it is said stile depends before you our said Justices undetermined but being willing for divers causes that the plea aforesaid undetermined as aforesaid should be heard & determined before the Judges of our General Court. We therefore commaund you that you have the body of the said Littleton Townsend & Thomas Robertson & Charlotte his wife, Heirs & Devisees of Joshua Townsend & William Barclay Townsend & Sarah Townsend Heirs of Joshua Townsend by whatsoever name or names they may be called in the plea aforesaid, together with the cause of their Caption and Detention, and all things thereunto relating before the Judges of our General Court, to be held for the Eastern Shore of this State, at Easton in Talbot County, the Second Tuesday of April next, that the said Judges of our said General Court may further proceed therein, as to Justice appertains to be done. Hereof fail not at your peril and have you then and there this writ. Witness the Honorable Robert Goldsborough Esquire Chief Judge of our said Court the 11th day of April 1797. Issued the 5th day of May 1797. (Wm)

James Earle Sam[l] Clk.

At which said Second Tuesday of September seventeen hundred and ninety seven being the return day of the aforegoing Writ, the Justices and Sheriff in obedience to the Commaund of the said Writ, to wit, the said Sheriff, now hath here the body of the said Defendants, and the said Justices certify and transmit to the Court here the following Record of proceedings, to wit — "In the Records and proceedings of Worcester County Court among other matters and things its contained as follows to wit. Worcester County to wit, At a Court of the State of Maryland held at Snow Hill Town in and for the County aforesaid, the second Monday of February to wit, the 13th day of the same month in the year of our Lord one thousand seven hundred and ninety seven, Were present

The Honble John Done Esq. Ch. Justice —

William Morris } Esqrs. Asso. Justs.
William Purnell }

Levin Pollitt Esq. Shff.

John C. Hanly Clk.

Stephen White against Joshua Townsend's heirs & Devisees

Commands was given to the Sheriff of Worcester County that he should take Littleton Townsend & Thomas Robertson & Charlotte his wife heirs of Joshua Townsend late of Worcester County deceased, and Devisees of the said Joshua of divers lands and Tenements, whereof the said Joshua died seized in his demesne as of fee, and William Barclay Townsend and Sarah Townsend heirs of the said Joshua Townsend if they should be found in his Bailiwick and them safe keep so that he might have their bodies before the Justices of the County Court of Worcester at a Court by them to be held at Snow Hill Town in and for the County aforesaid the second Monday of June anno dominie one thousand seven hundred and ninety seven to answer unto Stephen White of a plea of Trespass upon the case &c. And the same day is given to the said Stephen White, and the same day is given to the said Stephen White then & there faith. At which said second Monday of June came the said Stephen White by James B. Robins Gentleman his Attorney, and the Sheriff to wit Levin Pollitt gentleman now here returned, that he had taken the said Littleton Townsend & Thomas Robertson and Charlotte his wife, & William Barclay Townsend & Sarah Townsend whose bodies here at this day he hath ready to answer unto the said Stephen White of the plea aforesaid as by the foregoing Writ he was commanded. Whereupon the said Littleton Townsend & Thomas Robertson & Charlotte his wife and William Barclay Townsend & Sarah Townsend put in their place the Williams Whittington, Gent. their Attorney against the said Stephen White of the plea aforesaid. Upon which at the request of the parties aforesaid by their Attorneys aforesaid, day is to them now here given until the next Court to be held at Snow Hill Town in and for the County aforesaid the second Monday of November then next following in the same State as at present saving to the parties aforesaid hereafter. At which said fourth Monday of November, came again the parties aforesaid by their Attorneys aforesaid. Upon which at the request of the parties aforesaid by their Attorneys aforesaid further day is to them now here given until the next Court to be held at Snow Hill Town in and for the County aforesaid the second Monday of February then next following in the same State as at present saving to the parties aforesaid hereafter. At which said second Monday of February to wit, at an adjournment of the same Court the fifth Monday of May came again the parties aforesaid by their Attorneys aforesaid, Upon which the said Stephen White complains of the said Littleton Townsend & Thomas Robertson & Charlotte his wife and William B. Townsend & Sarah Townsend of the plea aforesaid in manner & form following to wit. Worcester County, to wit, Littleton Townsend & Thomas Robertson & Charlotte his wife heirs of Joshua Townsend late of Worcester County deceased and Devisees of the said Joshua of divers Lands and Tenements whereof the said Joshua died seized in his demesne as of fee and William Barclay Townsend and Sarah Townsend heirs of the said Joshua were attached to answer unto Stephen White of a plea of Trespass upon the case &c. And thereupon the said Stephen by James B. Robins his Attorney, complains that whereas the said Joshua in his lifetime to wit, on the first day of August in the year of our Lord seventeen hundred and ninety four at the County aforesaid was indebted to the said Stephen in the sum of fifty pounds current money of Maryland for the like sum of money before that time lent and paid by the said Stephen for the use of the said Joshua and being so indebted he the said Joshua, afterwards to wit, on the same day and year aforesaid at the County aforesaid undertook and then and there faithfully promised him the said Stephen to pay him