

error and others in the records of proceedings aforesaid being, be revoked annulled and held entirely as void and that the said John Denn lessee as aforesaid be restored to all things which by reason of the judgment aforesaid he hath lost. It is also considered by the Court here that the said John Denn lessee as aforesaid recover against the said George Grundy and Joseph Thornburgh the sum of seventy one dollars and eighty three cents and two thirds of a cent by the Court here adjudged unto the said John Denn lessee as aforesaid for his costs and charges by him laid out and expended about his prosecution of the appeal aforesaid and that the said John Denn lessee as aforesaid have thereof Execution and so forth. And because it clearly appears to the Court here that justice and the merits of this case require that there should be a new trial of the issue aforesaid, Thereupon the Court here according to the directions of the acts of Assembly in such case made and provided order and direct a remission of the record of proceedings aforesaid to the Clerk of the County Court of Baltimore with the writ of the state of Maryland of Procecdendo to the said County Court directing them to proceed in the action aforesaid and to a new trial thereof in the same manner as if no trial had taken place or any appeal had been prosecuted. The records of proceedings with the said writ of Procecdendo are therefore remitted to the Clerk of the said County Court of Baltimore accordingly &c.

Memorandum - At the argument and decision of this case in the Court of Appeals The Honorable Joseph Hopper Nicholson Esquire Judge withdrew from the Bench.

Jest. Th. Harris Junr. Clerk.

Nancy Queen
vs

Rev^d Charles Keale

Be it remembered that now here on the third monday in June being the eighteenth day of the said month in the year of our Lord one thousand eight hundred and ten the chief Judge and associate Judges of the first Judicial district of the state of Maryland in pursuance of the act of Assembly in such case made and provided transmit to the Court of Appeals here the record of proceedings in a cause which was lately depending before them in the County Court of Charles between Nancy Queen Complainant and the Reverend Charles Keale Defendant and wherein the said County Court gave judgment in favor of the said Charles Keale against the said Nancy Queen and from which judgment the said Nancy Queen prayed an appeal unto the Court of Appeals here the tenor of which said record of proceedings is in form following to wit: Charles County to wit: At a County Court of the state of Maryland begun and held at Charles Town in and for Charles County aforesaid on the third monday in March being the 19th day of the same month in the year of our Lord one thousand eight hundred and ten and of the Independence of the United States of America the thirty fourth.

Were present

John Mackall Gantt Esquire Chief Judge.

Edmund Key and } Esquires associate Judges.

Daniel Clarke

Alexander Johnson Esquire Sheriff.

Ans. Barnes Clerk

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Nancy Queen

v.

Rev^d Charles Keale

Be it remembered that on the first day of May in the year of our Lord one thousand eight hundred and eight Nancy Queen by Gerard A Causin her attorney exhibited to the Judges of the Court here her petition for freedom against the Reverend Charles Keale in the words following to wit: To the Honorable The Judges of Charles County Court, The petition of Nancy Queen a person of colour humbly sheweth unto your Honors that she your petitioner is entitled to her freedom being descended through the female line from a white woman, that she your petitioner is unjustly held in slavery by one Charles Keale of Charles County agent for the Corporation of the Roman Catholic Clergyman in the State of Maryland, from which illegal and oppressive bondage she humbly prays be discharged by the Judgment of your honours, and that summons may issue against the said Charles Keale Commanding him to appear in this Honorable Court and answer the premises and your petitioner do.

Gerard A Causin for pet.

Whereupon it is ordered by the Court here that the said Reverend Charles Keale do not remove the aforesaid Nancy Queen out of this County nor obstruct her from attending this Court from time to time in support of her petition for freedom against him the said Charles Keale and in the mean time to feed clothe and use the said Nancy Queen well and at the prayer of the said Nancy Queen by her attorney aforesaid summons is ordered by the Court here to issue to the Sheriff of Charles County against the aforesaid Charles Keale to answer the petition aforesaid which accordingly issued in the words and figures following to wit: Charles County to wit. The State of Maryland To the Sheriff of Charles County Greeting We command you that you summon Charles Keale late of Charles County agent for the Corporation of the Roman Catholic Clergyman in the State of Maryland that all excuses and delays be set aside he do and appear before the Judges of our next County Court to be held at Charles Town on the third monday of August next to answer the petition of Nancy Queen preferred against him for freedom, Hereof he is not to fail and fail not at your peril and have you then and there this writ. Witness John W Gault Esquire chief Judge of our said Court at Charles Town aforesaid the 31st day of March Anno Domini 1808. Issued the 1st day of May 1808.

G. N. C.

In Testis etc

At which said third monday in August being the fifteenth day of the same month in the year of our Lord one thousand eight hundred and eight and the day of the return of the foregoing writ comes into the County Court here the said Nancy Queen by her attorney aforesaid and the Sheriff of Charles County to whom the same writ was made and directed likewise comes and makes return thereof to the Court here thus endorsed to wit.

Sum^s Thomas A Davis Shff.

And the said Charles Keale by Clement Dorsey his attorney comes and defends the Complainant aforesaid where and where the said Court shall take the same into consideration, Whereupon it is ordered by the Court here that the said Charles Keale enter into Recognizance in the sum of one hundred pounds Current money not to remove out of Charles County the aforesaid Nancy Queen nor obstruct her

from attending this Court
 him and in the mean
 Keale present here in
 Maryland in the sum
 said and Tenements
 not remove out of
 from time to time in
 clothe and use the
 of the Court here to
 is given to the said
 At which
 said month in the year
 here as well the said
 and the said Nancy Queen
 to wit.
 Mary Queen
 v.
 Benetta Saunders
 Stephen Queen Nancy
 and Mary Queen
 v.
 Rev^d Cha^s Keale
 Nancy Queen Stephen
 Queen Mary Queen
 v.
 Rev^d Charles Keale
 to give to which opinion
 the three bills of except
 and mine
 And the said Charles
 where the said Court
 into the third monday
 Nancy Queen also.
 At which said
 said month in the year
 County Court here as

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from attending this Court from time to time in support of her petition for freedom preferred against him and in the mean time to feed clothe and use the said petitioner well: Thereupon the said Charles Neale present here in Court acknowledges himself to owe and stand justly indebted to the State of Maryland in the sum of one hundred pounds Current money, to be levied of his body, goods and chattles, Lands and Tenements to and for the use of the said State conditioned that the said Charles Neale do not remove out of Charles County Nancy Queen the petitioner nor obstruct her from attending this Court from time to time in support of her petition for freedom preferred against him and in the mean time to feed clothe and use the said petitioner well: and the said Charles Neale by his attorney aforesaid prays leave of the Court here to impare until the third monday in March next and he hath it and the same day is given to the said Nancy Queen also.

At which said next Court to wit the third monday in March being the twentieth day of the said month in the year of our Lord one thousand eight hundred and nine comes again into the County Court here as well the said Nancy Queen by her attorney aforesaid as the said Charles Neale by his attorney aforesaid and the said Nancy Queen by her attorney files in Court here the following affidavit and bill of exceptions to wit.

Mary Queen	} Petition for Freedom.
Benetta Saunders.	
Stephen Queen Nancy Queen and Mary Queen.	} Personally appeared before me one of the Justices of the peace for Charles County, and made oath on the holy Evangelis of Almighty God that they believe they cannot have a fair and impartial trial in the Court of Charles County in the petition now pending -
Rev ^d Chas. Neale	

Henry Hagan.

Nancy Queen, Stephen Queen, Mary Queen. } Petition for Freedom. The Petitioners in this case by their Counsel moved the Court to direct the Clerks that the records and proceedings under the said petitions be removed by the act of the General Assembly of Maryland passed in November 1804. Chap. 55 §. 2^d which direction the Court refused to give to which opinion the Defts by their Counsel beg leave to except and pray the Court to sign this their bill of exceptions, which is accordingly done this first day of April Eighteen hundred and nine.

Daniel Clarke

And the said Charles Neale by his said attorney as before defended the Complaint aforesaid when and where the said Court shall take the same into Consideration and prays further leave thereof to impare into the third monday in August next and he hath it, and the same day is given to the said Nancy Queen also.

At which said next Court to wit the third monday in August being the 21st day of the said month in the year of our Lord one thousand eight hundred and nine, comes again into the County Court here as well the said Nancy Queen by Gerard St. Causin, Francis Scott Hay and

May in the year of our
 Queen by Gerard St
 Court here her petition
 in the words following to wit
 Queen is person of colour
 her freedom being descended
 justly held in slavery by
 an Catholic Clergyman
 humbly prays be discharged
 to the said Charles Neale
 uses and your petitioner do
 Causin for pet
 do not remove the
 Court from time to time in
 the mean time to feed clothe
 Queen by her attorney aforesaid
 against the aforesaid Charles
 and figures following to wit
 by Pricting the command
 violation of the Roman Ca
 set aside to be and appear
 the third monday of
 for freedom, Hereof he is
 Orit - Witness John W
 21st day of March Anno
 James Clerk
 months in the year of
 the foregoing writ comes
 to the Sheriff of Charles
 to make return thereof
 & Davis Shiff.
 under the Complaint aforesaid
 hereupon it is ordered by
 the sum of one hundred pounds
 Queen nor obstruct her

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John Boucher Morris her attorney as the said Charles Neale by Clement Dorsey and Henry Hensley Chapman his attorney Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their attorneys aforesaid and by order of the Court here thereon is further continued until the third monday in Marcho next.

And now here at this day to wit the third monday in Marcho being the nineteenth day of the said month in the year of our Lord one thousand eight hundred and ten comes again into the County Court here as with the said Nancy Queen by her attorney aforesaid as the said Charles Neale by his attorney aforesaid and the said Charles Neale by his attorney aforesaid as before defend the Complaint aforesaid when and where the said Court shall take the same into consideration and saith that the said Nancy Queen is not descended from a free white woman as the said Nancy Queen by her petition above hath alleged and of this he puts himself upon the Country H^o and the said Charles Neale by his attorney further saith that the said Nancy Queen is not lineally descended in the female line from a free white woman as the said Nancy by her said petition above hath alleged and of this the said Charles Neale puts himself upon the Country H^o and the said Nancy Queen by her attorney aforesaid saith that she is descended from a free white woman as the said Nancy Queen by her said petition hath alleged and of this she puts herself upon the Country H^o and the said Charles Neale in like manner H^o and the said Nancy Queen by her attorney aforesaid further saith that she is lineally descended in the female line from a free woman as she the said Nancy Queen by her said petition hath alleged and of this she puts herself upon the Country H^o and the said Charles Neale in like manner H^o whereupon for trying the issues aforesaid Command is given to the Sheriff of the County aforesaid that he cause to come before the Court here immediately twelve H^o by whom H^o and who neither H^o to recognize H^o because as well H^o and afterwards to wit on the same third monday in Marcho aforesaid the Sheriff of Charles County to wit Alexander Johnson Gullerman to whom the aforesaid precept was made and directed makes return thereof to the Court here that he has here ready twelve H^o as he the said Sheriff was commanded to wit James Hawkins, John Digges, Henry S Yates, Richard Brightwell, Lawrence Poy, Thomas Rogerson, Daniel Norris, John B Mills Jun^r, William Vincent, Augustino Burch, Mapom, Mudd and Fredericks Nelson who being duly empannelled elects tried and sworn to say the truth in the premises upon their oath do say that the said Nancy Queen is not descended from a free white woman and further that the said Nancy Queen is not lineally descended in the female line from a free white woman as the said Charles Neale by his plea aforesaid above hath alleged. Therefore it is considered by the Court here that the said Nancy Queen is not entitled to her freedom so as aforesaid by the Jurors aforesaid, founds and that the said Nancy Queen the petitioner, return to the service of her master the aforesaid Charles Neale and in the service of her said master to remain H^o and that the said Charles Neale of the petition and premises aforesaid go thereof without day H^o.

Memorandum It is agreed by the parties aforesaid, Petitioner and Defendant respectively to release all errors that may appear in the pleadings in this cause.

In the trial of this cause
And thereupon the
Judgment aforesaid so
It is therefore ordered by
thereunto relating to be
the said Court accord

Maryland Charles C
the
af
yo

And now comes into the
attorney as the said Ch
on motion of the said
Nancy Queen assign the
here for correcting errors
default thereof and the
said as also in rendering
record of proceedings of
the said Charles Neale
ought to have been g
it is manifestly erred
of proceedings aforesaid
Queen to all which she
that the said Charles
by the Court here the
Queen above assigned
will be rendered aga
prays that a ray ma
in the record of proce
granted the same d
And now
day of the said mo
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And the said Ch

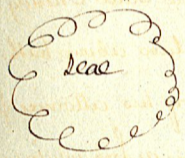
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In the trial of this cause the Honorable John Mackall Santt Chief Judge withdrew from the Bench.

And thereupon the aforesaid Nancy Queen by her attorney aforesaid prays an appeal from the Judgment aforesaid so as aforesaid rendered to the High Court of Appeals and the same is granted her: It is therefore ordered by the Court here that the record and proceedings in the plea aforesaid with all things thereunto relating be transmitted to the said High Court of Appeals and the same are transmitted to the said Court accordingly.

Test. John Barnes CLK.

Maryland Charles County Se. In Testimony that the foregoing is truly copied from the record of the proceedings of Charles County Court. I have hereto subscribed my name and affixed the seal of the County Court aforesaid this fifteenth day of June in the year of our Lord one thousand eight hundred and ten.



John Barnes Clerk of Charles County Court.

And now come into the Court of Appeals here as well the said Nancy Queen by Francis Scott Key her attorney as the said Charles Neale by Clement Dorsey and Henry H Chapman his attorney and thereupon on motion of the said Charles Neale by his attorney aforesaid it is ruled by the Court here that the said Nancy Queen assign the errors in the record of proceedings of the Judgment aforesaid brought before the Court here for correcting errors supposed to be therein or Judgment by the Court here will be entered against her in default thereof and the said Nancy Queen by her attorney aforesaid says that in the record of proceedings aforesaid as also in rendering the Judgment aforesaid it is manifestly erred in this that is to say, that by the record of proceedings aforesaid it appears that the Judgment aforesaid in form aforesaid given was given for the said Charles Neale against her the said Nancy Queen, when by the law of the Land that Judgment ought to have been given for her the said Nancy Queen against the said Charles Neale, therefore in this it is manifestly erred and she prays that the Judgment aforesaid for this and other errors in the record of proceedings aforesaid being may be revoked annulled and held for naught and that she the said Nancy Queen to all which she by occasion of the Judgment aforesaid hath lost may be restored to. and she prays that the said Charles Neale may rejoice to the errors aforesaid and so forth. And thereupon it is ruled by the Court here that the said Charles Neale may rejoice to the errors aforesaid by the said Nancy Queen above assigned in the record of proceedings of the Judgment aforesaid or Judgment by the Court here will be rendered against him in default thereof. And the said Charles Neale by his attorney aforesaid prays that a day may be given him to join in the errors by the said Nancy Queen above assigned in the record of proceedings aforesaid until the third Monday in December next and to him it is granted the same day is also given to the said Nancy Queen there to.

And now at this day to wit the said third Monday in December being the seventeenth day of the said month in the year of our Lord one thousand eight hundred and ten, which said day was given to the said Charles Neale to join in the errors by the said Nancy Queen above assigned come into the Court of Appeals here the parties aforesaid by their attorneys aforesaid and the said Charles Neale by his attorney aforesaid says that neither in the record of proceedings

