

Mary Queen & her  
Children

11 } Record

Rev<sup>d</sup> Charles Neale

Filed 3<sup>d</sup> July 1811.

May 1815

Copied for Mr. Bly

1799

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 August being the 20<sup>th</sup> 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 fifth

Were Present

John Mackall Gantt Esquire chief Judge

Edmund Key<sup>r</sup>

Daniel Clarke } Esquires associate Judges

Alexander Johnson Esquire Sheriff.

John Barnes Esq.

In the Record of the proceedings of the same Court among others is the following to wit in

Mary Queen &

her Children

19

Be it Remembered that on the 1<sup>st</sup> day of May in the year of our Lord, one thousand eight hundred and eight, the said Mary Queen and her children Rev<sup>d</sup> Charles Neale Esq<sup>r</sup> Gerard W. Cousin Esquire their attorney exhibited to the Judges of the Court here their Petition for freedom against the said Reverend Charles Neale in the words following, to wit, "To the Honorable the Judges of Charles County Court, The Petition of Mary Queen a person of colour humbly sheweth unto your Honours, that she your Petitioner and her two children Charles and Elizabeth are entitled to their freedom being descended through the female line from a white woman that she your petitioner, and her children, are unjustly held in slavery by one Charles Neale of Charles County agent for the corporation of the Roman Catholic Clergymen in the State of Maryland, from which illegal and oppressive bondage she humbly prays that she and her children may be discharged by the judgment of your Honours, and that summons may issue against the said Charles Neale commanding him to appear in this Honorable Court and answer the premises, and your petitioner &c. Gerard W. Cousin for Pet<sup>r</sup>."

Whereupon it is ordered by the Court here that the said Reverend Charles Neale do not remove the aforesaid Mary Queen and her children out of this County nor obstruct them from attending this Court from time to time in support of their petition for freedom against him the said Reverend Charles Neale and in the mean time to feed clothe and use the said Mary Queen and her children well. and at the prayer of the said Mary Queen and her children by their attorney aforesaid summons is order

by the court here to Issue to the sheriff of Charles County against the  
aforesaid Reverend Charles Neale to answer the Petition aforesaid which  
accordingly I sued 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 Neale late of  
Charles County, agent for the Corporation of the Roman Catholic Clergy  
men in the State of Maryland that all excuses and delays be set aside  
he be 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 Mary Queen and her two children Charles and Elizabeth  
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  
Mackall Gantt Esquire Chief Judge of our said Court at Charles Town  
aforesaid the 31<sup>st</sup> day of March Anno Domini 1808.

Issued the 1<sup>st</sup> day of May 1808. J. G. C. In. Barnes cld"  
At which said third Monday of August being the 15<sup>th</sup> 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 Mary Queen and her children by Gerard St. Caubin  
their 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. Tho. A. Davis Shff"  
and the said Charles Neale by Clement Dorsey his attorney comes and  
defends the Complaint aforesaid when and where the said Court shall  
take the same into consideration, whereupon it is ordered by the Court  
here that the said Charles Neale enter into Recognizance . . . . .  
. . . . . in the sum of three hundred pounds current money, not to  
remove out of Charles County the aforesaid Mary Queen and her children,  
nor obstruct them from attending this Court from time to time in support  
of their petition for freedom preferred against him, and in the mean time  
to feed clothe and use the said Petitioners 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  
three hundred pounds current money to be levied of his body goods and  
Chattels lands and tenements to and for the use of the said State,  
Conditioned that the said Charles Neale do not removed out of Charles  
County Mary Queen and her children the Petitioners aforesaid, nor  
obstruct them from attending this Court from time to time in support

of their petition for freedom preferred against him and in the mean time to feed clothe and use the said petitioners well, and the said Charles Meale by his attorney aforesaid prays leave of the court here to imparle until the third Monday of march next, and he hath it, and the same day is given to the said (Mary Queen and her children) also ---

At which said next court, to wit, the third Monday in March being the 20<sup>th</sup> 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 Mary Queen and her children by their attorney aforesaid, as the said Charles Meale by his attorney aforesaid, and the said Mary Queen and her children by her attorney aforesaid files in court here the following affidavit, to wit ---

Morus Queen  
" "  
Henrietta Sanders  
Stephen Queen Stacey  
Queen & Mary Queen  
" "  
Rev. Charles Meale

Petition for freedom. Personally appeared before me one of the justices of the peace for Charles county and made oath on the Holy Evangelists of Almighty God, that they believe they cannot have a fair and impartial in the court of Charles county in the petition now pending. Sworn before me this 28<sup>th</sup> March 1809

Henry Hagan

and the said Mary Queen and her children by their attorneys aforesaid pray the court to order and direct the record of the proceedings in this cause, to be transmitted to the Judges of any other county court within the first Judicial District for trial which direction the court refused to give, (whereupon the said Mary Queen and her children by their attorney aforesaid tendered to the court here their bill of exceptions, and which was by the court here signed and sealed and which is in form following to wit ---

Stacey Queen  
Stephen Queen &  
Mary Queen  
" "

Petition for freedom -  
(The petitioners in this case by their counsel moved the court to direct the clerk that the records and proceedings under the said petitions sh<sup>d</sup>. be removed by the act of Rev. Charles Meale & the Genl. Assembly of Maryland passed in Nov: 1804 Chap. 55 S. 2<sup>nd</sup> which direction the court refused to give, to which opinion the Dist<sup>s</sup> 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 Seal

And the said Charles Steele by his said attorney as before  
defends the complaint aforesaid, when and where the said court  
shall take the same into consideration and prays <sup>further</sup> leave thereof  
to imparle until the third Monday in August next, and he hath  
it, and the same day is given to the said Mary Queen of her children also.

And now here at this day to wit, the third Monday in August being  
the 21<sup>st</sup> day of the said <sup>month</sup> in the year of our Lord one thousand eight  
hundred and nine, comes again into the county court here, as well  
the said Mary Queen and her children by Gerard St. Clair Francis  
Scott Key and John Boucher Morris their attorneys, as the said Charles  
Steele by Clement Torrey and Henry Kenley Chapuran his attorneys,  
and the said Charles Steele by his said attorneys as before defends the  
complaint aforesaid, when and where the said court shall take the  
same into consideration and prays further leave thereof to imparle  
until the third Monday in March next and he hath it, and the same  
day is given to the said Mary Queen and her children also.

And now here at this day to wit, the third Monday in March  
being the 19<sup>th</sup> 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 well the said Mary Queen and her children by their  
attorneys aforesaid, as the said Charles Steele by his attorneys  
aforesaid, and the said Charles Steele by his said attorneys as before  
defends the complaint aforesaid, when and where the said court shall  
take the same into consideration and prays further leave thereof to  
imparle until the third Monday in August next and he hath it,  
and the same day is given to the said Mary Queen and her children also.

And now here at this day to wit, the third Monday in August being  
the 20<sup>th</sup> 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 well  
the said Mary Queen and her children by their attorneys aforesaid, as  
the said Charles Steele by his attorneys aforesaid; Thereupon it is  
ordered by the court here, with the consent of the Parties aforesaid, by  
their attorneys aforesaid, that the said petition be dismissed; Whereupon  
the said Mary Queen and her children by their attorneys aforesaid, pray

an appeal from the decision aforesaid, to the High Court of appeals of the state of Maryland, and it is granted them; it is therefore ordered by the said Court here, that the record and proceedings aforesaid, in the plea aforesaid, with all things thereunto relating, be transmitted to the said High Court of appeals of the said State; and the same are transmitted to the said Court accordingly.

Test, In: Barnes &

Maryland Charles County J<sup>t</sup>. In Testimony that the foregoing is truly copied from the Record of the Proceedings of Charles County

I have hereto subscribed my name and affixed the seal of the County Court aforesaid this 10<sup>th</sup> day of December Anno Domini 1810.

In: Barnes & of Cha<sup>t</sup>. County Court