

Record

George Wallis

attid

Annis Annisley and
her Children

^{my} Transcript of Record

Indgt. Received on 1st Reception
and aff. on 2nd time Term 1817.

Cost Appellant	6 ^{..} 66 ³ / ₄
Atty	11 ^{..} 91 ³ / ₄
Clk	518 ^{..} 58 ³ / ₄

Cost of Appellee	6 ^{..} 66 ³ / ₄
Atty	7 ^{..} 11 ³ / ₄
Clk	518 ^{..} 78 ³ / ₄

21st 7th 1817

Maryland, Queen Anne's County, to-wit;

At a Court Court of the second Judicial District of the State of Maryland, begun and held at Centre Ville in and for Queen Anne's County aforesaid, on the first Monday of May, it being the first day of the same month, in the Year Eighteen hundred and fifteen, and in the fortieth year of the Independence of the United States of America

Now Present
The Honble Richard M. Williams Esquire Chief Judge
Samuel Purnell Esquire
Thomas W. Howell Esquire ap. judges
Richard Moffett Esquire Sheriff M. Murphy Clerk

In the Record of Proceedings of the said Court, amongst others were the following to-wit, to

Henry Hensley and Bett remembered
her children } that, on the first Monday
George ^{against} Walls } of May, being the first day
of the same month, in the
Year Eighteen hundred and

fifteen, Army Hensley, Susan Hensley, Juliana Hensley and Priscilla Hensley by William Barnickel their Attorney exhibited to the Court her fitting their petition for Freedom against George Walls in form following to-wit

To the Honourable the Judges of Queen Anne's County Court
The Petition of Army Hensley a Mulatto Woman and Susan Hensley, Juliana Hensley and Priscilla Hensley children to the said Army Hensley sheweth that they are entitled to their Freedom being descended on the female

line from a free woman named Susan and that they are now unjustly held in slavery by a certain George Walls who is now in Queen Anne's County, but is a resident of the State of Kentucky they are therefore pray process against the said George Walls and that they may be discharged from his hands and may such further and other relief as to your Honours may be right

Whereupon it is ordered by the Court here, that the writ of the State of Maryland of Subpoena issue to the Sheriff of Queen Anne's County aforesaid against the said George Walls to answer to the petition aforesaid of the said Army Armsley and her children, which accordingly issues in form following to-wit

Queen Anne's County, to-wit, The State of Maryland, To the Sheriff of Queen Anne's County, Greeting Seal of the County Court of Queen Anne's County, that all receiving and delays do a side he be and appear before the Judge of Queen Anne's County Court now sitting at Centerville in said County to answer the petition of Army Armsley and her children preferred against him for Freedom

Hereof fail not at your peril, and he is not to fail, and have you then and there this writ Witness the Honorable Richard Dillman Esquire Chief Judge of the County Court in the second judicial District of Maryland the first day of May in the year Eighteen hundred and fifteen. Given the 15th day of May 1815. Wm Browne Clk

And whereupon the Sheriff of Queen Anne's County aforesaid, to-wit; Richard Moffett Gentlman to whom the said aforesaid writ of Subpoena was informed aforesaid directed makes return thereof to the Court here thus ordered to-wit

Queen Anne's County, to-wit; By Virtue of the writ of Subpoena directed to me directed, I have summoned the within named George Walls as I am within commanded - Richard Moffett Sheriff

And the said George Walls by Army Armsley and Esquire Thomas Chambers his attorney appears in Court here whereupon it is ordered by the Court here, that the said George Walls enter into recognizance in the sum of Two thousand Dollars current Money with security, that he the said George Walls do not remove the aforesaid Army Armsley and her children out of this State nor obstruct them from attending this Court from time to time in support of their petition for freedom preferred against him the said George Walls and in the mean time to feed, cloath and use the said Petitioners well.

Whereupon the said George Walls present here in Court acknowledges himself to owe and stand justly indebted unto the State of Maryland in the sum of Two thousand Dollars current Money and a certain Samuel Chaplin of Queen Anne's County also present here in Court in like manner acknowledges himself to owe and stand justly indebted to the said State of Maryland in the said sum of Two thousand Dollars which said sum they and each of them acknowledge shall be made and bound of their respective Bodys Goods and Chattels, Lands and Tenements, to and for the use of the said State, on condition that the said George Walls do not remove Army Armsley, Susan Armsley, Juliana Armsley and Priscilla Armsley out of this State nor obstruct them attending this Court from time to time in support of their petition for Freedom exhibited in the said Court against the said George Walls and in the mean time to feed, cloath and use them well, and pay whatever satisfaction the Court shall adjudge for the services of the said Army Armsley, Susan Armsley, Juliana Armsley and Priscilla Armsley from this Court to the time of

the judgment with Costs, - and the said George Walls by his
attornies aforesaid, defends the Complaint aforesaid when and
where the Court will take the same into consideration, and prays
leave of the Court here to impeach until the third Monday of
October next, and to him it is granted, the same day is given
to the said Army Armistead and her children also -

At which said third Monday of October being the first day
of the same month in the year Eighteen hundred and fifth, comes
again into Court here, as well the said Army Armistead and her
children by their attornies aforesaid as the said George Walls
by his attornies aforesaid, and the said George Walls by his
attornies aforesaid, as before defends the Complaint aforesaid when
and where the Court will take the same into consideration, and
prays leave of the Court here to impeach until the first Monday
of May next, and to him it is granted, the same day is given
to the said Army Armistead and her children also -

And Now here at this day to wit, the first Monday
of May being the sixth day of the same month in the year Eighteen
hundred and fifth, comes again into Court here, as well the said
Army Armistead and her children by their attornies aforesaid, as
the said George Walls by his attornies aforesaid, and the said
George Walls by his said attornies as before defends the
Complaint when and so forth and saith that the said Army
Armistead and her children are not entitled to their freedom
from being descended in the female line from a free woman
named Susan in manner and form as stated in their said
petition and this he prays may be enquired of by the
Court; and the said Army Armistead and her children
in like manner and so forth. Therefore let a Jury thereon
appear before the Court here immediately by whom &c
and who neither &c to recognize &c because as well

&c who being called come that is to say, Daniel Clapper
Vincent Bantler, Thomas Richardsons, Thomas Arwitt
William Murphy, Edward Sudler, Charles Downes
John Price, Thomas W. Hopper, James Maffry, William
Vogel, Samuel Smyth, George Palmer, William N. Earle
Nathan Patton, John Dagg, Samuel Thompson, Dregimo
Blake, Thomas W. Simpson and Solomon Wright
Whereupon certain of them to wit, Daniel Clapper, Vincent
Bantler, Thomas Richardsons, Thomas Arwitt, William Murphy,
Edward Sudler, Charles Downes, John Price, Thomas
W. Hopper, James Maffry, William Vogel and Samuel Smyth
are sworn upon that Jury, and the others of the said jurors
being according to the act of assembly challenged on the part
of the petitioners to wit, the said George Palmer, William
N. Earle, Nathan Patton, John Dagg, Samuel Thompson
Dregimo Blake, Thomas W. Simpson and Solomon Wright
the other jurors aforesaid first impeached and sworn being
elected tried and sworn on their oaths do say that the said
Army Armistead, Susan Armistead, Juliana Armistead and Priscilla
Armistead, on the day of preferring their petition in this
cause were free and of free condition as the petitioners
aforesaid in their said petition to the Court here preferred
against the said George Walls within hath alleged.
and the said George Walls by his said attornies saith
that the Court here ought not to proceed to give judgment
in and upon the said verdict, and prays that judgment
against him in and upon the said verdict by the jurors
aforesaid in forme aforesaid given may be set aside
1st Because the verdict is contrary to the direction
of the Court to the Jury -

2.nd Because the Verdict is against the weight of Testimony
3.rd Because the Verdict is without any evidence on the
part of the Petitioners to prove that Negro Suck
under whom the Petitioners claim was a free woman
in Virginia -

Whereupon all and singular
the premises aforesaid being by the Court here seen heard
and fully understood, and Mature deliberation thereon
had for that it seems to the Court here, that the said
Verdict for the reasons aforesaid yet for the ought not
to be set aside - Therefore it is considered by the Court
here that the said Army Armely, Susan Armely, Juliana
Armely and Priscilla Armely the Petitioners aforesaid recover
their freedom of and against the said George Walls and
that they be free and discharged of and from the service
of the said George Walls and that they the said Army Armely
Susan Armely, Juliana Armely and Priscilla Armely
go thereof free and discharged without day and forfeiture.

It is also considered by the Court here that the said Army
Armely, Susan Armely, Juliana Armely and Priscilla Armely
recover against the said George Walls the sum of twenty four
Dollars and fifty one Cents and two thirds of a Cent by the Court
here unto the said Army Armely, Susan Armely, Juliana
Armely and Priscilla Armely as judges on their behalf
for their Costs and Charges by them about their prosecution
of their Petitions aforesaid laid out and expended and
that they have thereof their Execution and so forth -

Cost ⁱⁿ M. Murphy Clerk

Memorandum. Before the Jurors aforesaid
withdrew from the bar of the Court here, the

said George Walls by his said Attornies, tendered to the Court
here the following bills of Receipts and which were
by the Court here signed and sealed and which are inform
following to wit -



Army Armely and others, Petitioners for Freedom

George C. Walls -

At the Trial of this Cause
the Petitioners proved by
Gremberry Griffin that some time before the surrender of York
Town to the American Army he the said Griffin had gone to
James River with one Captain James Sweat, that he was after-
wards transferred to the Baltimore Gally and after the
surrender of the British he again went on board Captain
Sweats Vessel and went in to York River - That about two
or three Weeks after the ^{said} surrender he left York Town
That about two weeks before he left York Town he had
been on shore at Gosport where he had seen Negro Suck the
Mother of Army one of the petitioners selling Cakes and beer
without controul and that he saw her repeatedly afterwards
selling cakes and beer at the shore of the River at York Town
until the day before Captain Sweat sailed when the said
Suck was brought on board Captain Sweats Vessel by five
or six men at about 9 o'clock at Night and purchased by
the said Sweat that another black woman was brought on
board Captain Sweats Vessel by the same persons who was
released and set on shore in consequence of her cries and
screams - that the said James Sweat has informed the said
Negro Suck that he would make her his wife that the
said Suck has said during her passage to Maryland that




she was free she had come away as she was free in Virginia
and had a white husband there - on his cross examination
he said Griffin was asked if he had heard the story of the kidnap-
ing mentioned at any period since he came to Maryland or
whether at any time since he had mentioned it - to which he
answered he did not recollect to have mentioned it, but had heard
talked of - said Griffin also proved that one Partus Sweat
turned to Maryland with Captain Sweat and himself and that
the Partus Sweat and Captain Sweat are dead -

The Petitioners then proved by John Denny that he had
retired in the immediate neighbourhood of William Sweat
(who is now dead) the brother of Captain Sweat and with whom
Negro Sucks then lived, that he heard a conversation between
the said Sucks and the mother of the witness in which the said
Sucks stated herself to have been free in Virginia and to have
been stolen from thence by Captain Sweat - The Counsel
for the Petitioners then asked the said Denny if it was
the reputation of the neighbourhood that the said Sucks
was a free woman to which the Defendant by his Counsel
objected but the Court did permit the witness to answer
the questions and to testify that Sucks was the reputation of
the neighbourhood - To which the Defendant by his Counsel
objected and that he might have the benefit of his exception
prayed the Court to sign and seal this his bill of
exceptions which is accordingly this 14th day of May 1816.

R. T. Earle 
Chas. Wornell 

Henry Amisby Mother of Petitioners &c
George Walls -

In addition to the former matters
and things stated in the above Bill of exceptions the Petitioners
proved by the above named Griffin and Denny the declarations
of Captain Sweat as to the freedom of the above named
Negro Sucks and the Defendant proved that Captain Sweat
had sold her to John Gibbons deceased - They then proposed to
prove by the declarations of the said John Gibbons that the said
Sucks was a slave, but the Petitioners by their Counsel
objected to the testimony and the Court would not permit
it to be given to which opinion of the Court the
Defendant excepted and prayed the Court to sign and seal this
bill of exceptions, which is accordingly done this 15th day of
May 1816.

R. T. Earle 
Leut. Purnell 
Chas. Wornell 

And thereupon the said George Walls by his Attorney
aforesaid prays an appeal from the Defendant aforesaid so
as aforesaid pending to the Court of Appeals to be holden for
the Eastern Shore of this State, and it is granted him
It is therefore ordered by the said Court here that the
records and proceedings aforesaid in the plea aforesaid with
all things thereunto relating be transmitted to the said Court
of Appeals to be holden for the Eastern Shore of the

Said State and the same are transmitted to the said Court accord-
ingly -

Maryland, Queen Anne's County Court,
Sheriff certifies that the within
and foregoing is truly taken from the record of Proceedings
of Queen Anne's County Court -

In ^{Witness} Testimony whereof to this exemplification, I herewith
Subscribed my Name, and affix the Seal
of Queen Anne's County Court this 10th
day of June in the Year of our Lord
one thousand eight hundred and fifteen

C. M. Murphy Clk

Queen Anne's County Court