

## Petition Analysis Record (PAR)

Race and Slavery Petitions Project

Series 2, County Court Petitions

University of North Carolina at Greensboro

Accession: # 20980003

Queen Anne's County, Maryland

Salutation: To the Honourable the Chief Justice of Queen Ann's County Court and his associates

Court: County

Beginning Date: ca. 26 October 1800

Court: County

Ending Date: October 1802

Petitioner[s]: 19

Number of Pages in Petition: 3

Rachel Baker	Mulatto	Female
James	Mulatto	Male
Isaac	Mulatto	Male
Esther	Mulatto	Female
Betty	Mulatto	Female
John	Mulatto	Male
Isaac	Mulatto	Male
Tom	Mulatto	Male
Phoebe	Mulatto	Female
Benjamin	Mulatto	Male
Caty	Mulatto	Female
Henny Baker	Mulatto	Female
Ibby	Mulatto	Female
Harry	Mulatto	Male
Nancy	Mulatto	Female
Sarah	Mulatto	Female
Charles	Mulatto	Male
Henny	Mulatto	Female
Harry	Mulatto	Male

Defendant[s]:

John Paca	White	Male
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Abstract:

Rachel Baker, her three children, five grandchildren, and two great-grandchildren, and Henny Baker and her five children and two grandchildren, say that "they are descended from an Indian woman named Moll or Mary that the Said Moll or Mary was a free native of America." They represent that "your petitioners have been entitled to their freedom from their birth and are now deprived thereof and held as slaves by John Paca of Queen

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Ann's County." They ask the court to subpoena John Paca and to free them from bondage.

Subjects:

American Indians

black genealogy

black sues white

children of FPOC

family, black

fpoc

fpoc held as slave

freedom suits

women, fpoc

Number of Pages in Related Documents:      5

Related Documents: PARs #20979204, #20979704, #20980305; Transcript of Court  
Record, ca. 26 October 1800--October 1802; Clerk's Certification, 1  
May 1812

Petition Result: granted

Location Description: Schweninger Collection

Repository: Maryland State Archives, Annapolis, Maryland

Robert Moody

Richard Jones

In addition to the matters before  
 stated the pref proved by Competent  
 Testimony that he was the son  
 of a certain negro Betty and  
 that Betty was the Daughter of a certain yellow woman  
 called Ransie who heretofore obtained a Writ for her  
 freedom in Queen Anne County Court as will appear  
 by the following Record

→ Maryland, Queen Anne County Court:

Held a County Court held  
 for Queen Anne County at Centerville in said County  
 on the fourth Monday of October in the year Eighteen  
 hundred and two. By the Commissioners and Officers  
 appointed and empowered to hold the same Court  
 of whom were Present

The Honble James Tilghman Esq Chief Justice

Matthew Bready

Henry Dawson Esq. Judges

James Dr. Esq. S. P.

Serv: Wright &

In the Record and proceedings of the same Court  
 is contained the following Court:

Rachel Baker Totters

John Peck

Be it remembered that  
 heretofore Court at October  
 Term Eighteen hundred

Rachel Baker James Isaac and Esther Betty John  
Isaac Tom, Phoebe Benjamin Gaty Henry Baker  
and Nancy Sarah Charles Henry Harry Albert Henry  
by William Caspichard & George T. Earle their attorneys  
preferred a petition of freedom to Queen Anne County  
Court here against John Paced in manner and  
form following to wit:

To the Honorable the Chief Justice of Queen Anne  
County Court and his associates

The petitioners of Rachel Baker James Isaac and  
Esther her children and Betty John Isaac Tom  
children to the said Esther and Phoebe child to the said  
Esther and Benjamin and Gaty children to the said Phoebe  
and Henry Baker and a Nancy child to the said Henry  
and Sarah children to the said Henry and Charles  
child to the said Henry Baker and Henry child to the  
said Henry Baker and Henry her child and John  
and Henry children to the said Henry Baker humbly  
sheweth that they are descended from an Indian  
woman named Moll or Mary that the said Moll  
or Mary was a free native of America who lived  
and died on Wye River on the Eastern shore of  
Maryland your petitioners have been entitled to their  
freedom from their birth and are now deprived  
thereof and held as slaves by John Paced of Queen  
Anne's County. Petitioners therefore pray process  
against the said John Paced to answer the premises.

47.

here alleged and be otherwise redressed as to your Honor  
may seem right and they as in duty bound will pray

William Lammiman and  
Richard T. Carlo for Petitioners

Whereupon it is ordered by the Court here that a summons  
issue to cause John Pace of Queen Anne's County to  
appear immediately in the said Court to answer to  
the petition of the said Rachel Barker and others  
which accordingly issues as follows to wit:

Queen Anne's County to wit: The State of Maryland  
Seal of the Sheriff of Queen Anne's County. Greeting  
John Pace and hereby commanded to summon John  
Pace late of Queen Anne's County that he  
appear and obey, set aside he be and appear before  
the County Court here now sitting in Annapolis  
to answer the petition of Rachel Barker and others  
preferred against him for freedom. Whereof he is not to  
fail, and fail not at your peril, and have you there  
and there this writ. Witness James Telford Esquire  
Chief Judge of our said Court the 16<sup>th</sup> of October 1800.  
Given the 27<sup>th</sup> of October 1800. Jas. Wright  
(C. C.)

Whereupon the said Sheriff of Queen Anne's County to whom  
the said foregoing summons was in form aforesaid directed  
makes return thereof to the Court like the said summons  
thus answered to wit: Summoned.

Henry Cortin Sheriff.

46.  
And the said John P. P. being called appeared in Court here in proper person. Thereupon on motion of the said Rachel Baker and others by their attorney aforesaid, it is ruled by the Court here that the said John P. P. enter into a recognizance to the State of Maryland in the sum of one thousand pounds current money which is accordingly done, and is contained in the following words to-wit:

Yours John P. P. do acknowledge yourself to owe and stand indebted to the State of Maryland in the sum of one thousand pounds current money to be paid of your body goods and chattels lands and Tenements for the use of the said State to be void upon Condition that you will permit require Rachel Baker and others who have procured a petition against you for their freedom and which is now depending in Court here to have reasonable cause to their faces and that you will not directly or indirectly remove or suffer or cause the said money or either of them to be removed without the jurisdiction of this Court, until their said petition shall have been determined.

Test J. W. Wright

Thereupon further view is of and upon the premises by the Court here the said parties aforesaid by consent of the said parties and their attorneys and by order of the Court here that this Cause is continued until the first Monday of May next: at which said first Monday of May in the year eighteen hundred and one comes into Court here the said Rachel Baker & others

by their attorneys aforesaid, and the said John Peck in proper  
 person. - Thereupon on motion of the said John Peck it  
 is ordered by the Court here that this cause be continued  
 until the fourth Monday of October next: At which  
 said fourth Monday of October Eighteen hundred and one  
 comes again into the Court here as well the said  
 John Peck in proper person as the said Rachel Baker  
 and others by their attorneys aforesaid. - Thereupon further proof  
 of and upon the premises by and between the parties aforesaid  
 by consent of the said parties and their attorneys and by order  
 of the Court hereon is further continued until the first  
 Monday of May next. At which said first Monday of  
 May in the year Eighteen hundred and two comes again  
 into Court here the said John Peck by John Scott his  
 attorney and the said Rachel Baker together by their attorneys  
 aforesaid. Thereupon further proof of and upon the  
 premises by and between the parties aforesaid by  
 consent of the said parties and their attorneys and by order of  
 the Court hereon is further continued until the fourth  
 Monday of October next: And now here at this  
 day to wit: the said fourth Monday of October in the  
 year Eighteen hundred and two comes into Court here  
 as well the said John Peck by his attorney aforesaid as  
 the said Rachel Baker together by their attorneys aforesaid  
 And the said John Peck by John Scott his attorney aforesaid  
 doth that the said Holt was not an Indian woman as  
 the said Rachel Baker James Isaac Father Betty

John Isaac Tom Phile Henry & Mary Sarah Charles  
 Henry Harry Abby & Henry by their said petition above have  
 alleged and by this is put in issue upon the County & the  
 said petition in like manner. And the said John P. Ford  
 by his said attorney further sheweth that the said Rachel  
 Baker Susan Isaac Esther Betty John Isaac Tom Phile  
 Henry Mary Sarah Charles Henry Harry Abby & Henry  
 are not nor is either of them lineally descended in the female  
 line from a free native American woman or American woman  
 of color as they by their said petition above have alleged and  
 of this the said John P. Ford sheweth upon the County and  
 the said petitioners in like manner as aforesaid.

Thereupon let a Jury thereof appeared before the Court here  
 immediately by whom it was shewed that to recognize the facts  
 become it was needful who being called names that is to say  
 John Dickinson Joseph St. Deford John Davis John Henry  
 Peter Hudson Francis Joseph Wright Thomas Watson  
 William Jacob Samuel Rochester George Johnson  
 William Phillips & others Thomas who being sworn  
 and sworn to say the truth in the premises on their oaths  
 do say as to the first issue between the parties aforesaid joined  
 that the said American woman named Molly or Mary  
 was a native of America and free by birth, as the said  
 Rachel Baker & others the petitioners aforesaid by their said  
 petition have alleged; and as to the second issue between  
 the parties aforesaid within joined, the Jurors aforesaid, on their  
 oaths aforesaid, further say that the said Rachel Baker  
 & others the petitioners aforesaid are lineally descended in the



female line, from a free African woman a native of America named Moll or Mary in manner and form as the said Rachel Baker & others the petitioners aforesaid have by their said petition alleged: And the said John Pica by his attorney aforesaid saith that the Court here ought not to proceed to give judgment in and upon the said Verdict, and pray judgment against him in and upon the said Verdict by the person aforesaid in form aforesaid given may be set aside and a new trial granted for the following reasons. 1<sup>st</sup> Because that the Verdict is without evidence. 2<sup>nd</sup> Because that the Verdict is contrary to the evidence given in the Cause. 3<sup>rd</sup> Because that the Jury left their room and retired separated without having agreed upon their verdict. 4<sup>th</sup> Because that the Jury did eat and drink before they had agreed upon their verdict without the Consent of the Court. — 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 set forth ought not to be set aside — Therefore it is considered by the Court here, that the said Rachel Baker and others the petitioners aforesaid recover their freedom of and against the said John Pica and that they be free and discharged from the service of the said John Pica and that they the said Rachel

Baker and others go thereof and discharged without  
 stay and costs. It is also considered by the Court here  
 that the said Rachel Baker should recover against the  
 said John Pica the sum of thirty nine Dollars and  
 forty eight and one third Cents by the Court here unto the  
 said Rachel Baker and others adjudge on their appeal  
 for their Costs and charges by him about the prosecution  
 of his petition aforesaid laid out and expensed, and that  
 they have thereof their execution, and costs.

Wm. Pica, Deft. & his family to wit

Sheweth for say that the  
 aforesaid is truly and exactly taken from  
 the records of Green County Court.

Deaf of Wm. Pica, Deft. & his family to wit  
 Deaf of Wm. Pica, Deft. & his family to wit  
 County Court Office this first day of May Anno  
 Domini Eighteen hundred and twelve

John Browne

Deaf of Wm. Pica, Deft. & his family to wit

The petitioned also sheweth that the said Rachel is the person who  
 obtained the verdict and that she offered the same as evidence  
 of the recovery of the said Rachel to which the Defendant  
 objected and the Court admitted the said verdict in evidence  
 whereupon the Defendant excepted and prayed the Court  
 to sign and seal this his exception which is accordingly  
 done this 12<sup>th</sup> May 1812.

Thos. Morrell Seal