To the honorable the Judges of Saint Marys County Court as a Court of Equity

Humbly complaining shewes unto your honors your Oratrix Catherine Ann Leech that ~~about ten~~ some few days since the Sheriff aforesaid County (Benjn. G. Cole Esqr.) by his deputy Henry Bluey took into his possession ~~[illegible]~~ under & by virtue of a fieri facias issued out of Saint Marys County Court on a Judgment in said Court in favour of certain Merchants in the City of Baltimore trading under the firm of Hopkins and Brothers against James & Stephen C Leech, certain negroe slaves the bona fide property of your Oratrix and although the said Sheriff was notified that the said negroes were not the slaves of either of said debtors, but were the proper slaves of your Oratrix, he persevered in executing the said process upon them & has taken them from the possession of your Oratrix Inasmuch therefore as your Oratrix is remediless in the premises at law (not being permitted by any legal process, to interfere with the possession of the Sheriff) and can have her grievances redressed only by a resort to the equitable authority of this Court, by which wrongs of this

(Column Ann Leech
vs
John Hopkins &
Charles Hopkins
Bill
Filed 24 Jun 1831
Ans 18[illegible]

kind can be redressed, & the evils growing out of them prevented - May it please your honors to order that an injunction may be issued in this case in the usual form directed to the proper Officer prohibiting and enjoining ~~the said Hopkins & Brothers~~ & his attorneys agts. of Saint Marys County and his deputies from proceeding any further in the premises until the further order of this Court & that the said negroes may be restored to your Orator in the interim, and May it also please your honors to order that Subpoenas may issue to Johns Hopkins and Mahlon Hopkins composing the firm of Hopkins & Brothers commanding them to be and appear before this Court & full true & perfect answers to make to all & every matter & allegation contained in this Bill and May it please your honors to grant to your Orator such further and other relief in the premises as to your Honors shall seem meet & equitable & she will pray &c

N. Stonestreet for Complt -

In Maryland Saint Marys County to wit Since 23rd June 1831

Then came Catherine Ann Beech before me the subscriber a Justice of the peace in & for said County and made oath on the holy Evangels of Almighty God to the truth of the matters and allegations contained in this Bill of complaint to the best of her knowledge & belief -

sworn to before me

Henry Forrester

Mr Harris

File this bill and bond and issue the Subpoena and Injunction as prayed

June 24th 1831.

J. H. Slater

Cath Ann Skeels

John Hopkins
Mahlon Hopkins

Witness

Filed 19 Nov 1891

The Joint and Several answers of Johns Hopkins and Mahlon Hopkins to the Bill of Complaint of Catharine Ann Kluck

The said defendants saving and reserving to themselves now and at all times hereafter all and all manner of benefit and advantage of exception to the manifold uncertainties and imperfections in the Complainants said Bill of Complaint contained for answer thereunto or unto so much thereof as materially concerns these defendants to make answer unto they answer and say - they admit that they issued out of Saint Marys County Court the writ of fieri facias upon a judgement obtained in said Court by these defendants against James Kluck and Stephen C Kluck, and by virtue of said writ the Sheriff of said County took into his custody the negro slaves mentioned in Complainants said Bill to satisfy the aforesaid judgement as stated by said Complainant in his said Bill of Complaint, these defendants further answering say they deny that the said negro slaves were taken out of the said Complainants possession by the said Sheriff and aver that they have been informed and verily believe that the said slaves were at the time the said writ was laid as aforesaid, in the possession of the said James Kluck and taken as his property by the said Sheriff to satisfy pro tanto the aforesaid judgement, these defendants further answering say they deny that the said slaves are the bona fide property of the said Complainant as she has alleged in her bill and these defendants further answering aver that they have been credibly informed and verily believe that the said negro slaves were born the property of the said James Kluck and were his property at the time they were taken under the writ aforesaid by the Sheriff aforesaid and justly liable for the payment of the judgement aforesaid, these defendants beg leave here to remark that they regret the said Complainant has not set forth her title, to the aforesaid slaves how and in what manner the said slaves became his the Complainants property. They regret the omission because they have been informed and verily believe, that the said Complainant is the daughter of the said James Kluck, and therefore the silence of the Complainant upon the nature of her title exposes her to the strong inference that she claims under a gift from her father, these defendants further say, they verily believe that the claim set up by the Complainant to the aforesaid slaves is founded in fraud and utterly void. And these defendants

they leave further to add that however painful it may be to call in question the moral rectitude of individuals, a belief conviction on their parts of its truth impels the declaration that they can view this transaction in no other light than as one of those family compacts to which some Debtors occasionally resort for the unholy purpose of defeating the ends of Justice - Without that that there is any other matter or thing material or necessary for these defendants to answer unto and not herein and hereby well and sufficiently answered unto confessed or avoided, traversed or denied is true, all which matters and things these defendants are ready to aver and prove as this Honorable Court shall direct and award, and humbly pray that the injunction granted in this case may be dissolved and they hence dismissed their reasonable costs and charges in this behalf most wrongfully sustained

G. N. Bausin
Solicitor for Defendants

Baltimore County to wit

On this Eleventh day of November Eighteen hundred and thirty one personally appeared before me the Subscriber one of the Justices of the State of Maryland for Baltimore County aforesaid John Hopkins and Mahlon Hopkins and severally solemnly affirm that the facts contained in the aforegoing answer so far as they depend upon their knowledge are true and so far as they are derived from the knowledge of others they believe to be true

T. Sheppard

State of Maryland, Baltimore County, to wit,
I hereby certify that Thomas Sheppard Gentleman before whom the above affidavits were made and who hath thereto subscribed his name was at the time of so doing a Justice of the Peace of the State of Maryland, in and for the City of Baltimore duly commissioned and qualified,

Intestimony whereof I have hereunto subscribed my name and affixed the seal of Baltimore County Court this Eleventh day of November Eighteen hundred and thirty one,

Wm Gibson Clk

Nathaniel S Keech

v

John Hopkins &
Mahlon Hopkins

} Appeal from Clinton County
Court acting as a Court
of Equity

November Term 1854

The case being submitted to the Court on Bill and Answer, it is upon consideration ordered and adjudged by the Court that the injunction heretofore obtained in this case be and hereby is dissolved. & that the plaintiff complainant - deliver up to the Sheriff of Clinton County the property so enjoined & pay to the parties defendant costs therefor and damages as may have been incurred, by the delay in execution produced by the issuing of said injunction