Henry C Berghaus
a
Peter M Mortz use of
Charles and Jacob Baltzell

Be it remembered that now here on the first monday in December being the second day of the said month in the year of our Lord one thousand eight hundred and twenty two the chief Judge and associate Judges of the sixth Judicial District of Maryland in pursuance of the directions of the act of Assembly in such case made and provided transmit to the Court of Appeals here the record of proceedings of a plea which was lately depending before them in the County Court of Baltimore between Peter M Mortz plaintiff and Henry C Berghaus defendant and wherein the said County Court gave judgment for the said Peter M Mortz against the said Henry C Berghaus and from which said judgment the said Henry C Berghaus appealed to the Court of Appeals here the tenor of which said record of proceedings is in form following to wit:

The State of Maryland Baltimore County to wit.

At a County Court of the sixth Judicial District of the State of Maryland begun and held at the Court house in the City of Baltimore in and for the County aforesaid on the third monday of September in the year of our Lord one thousand eight hundred and twenty one

Present

The Honorable	Walter Dorsey Chief Judge Charles W Hanson } associate Judges William H Ward } associate Judges

John Stevenson Esquire Sheriff William Gibson Clerk

Among other were the following proceedings to wit:

Peter M Mortz use of
Charles & Jacob Baltzell
v
Henry C Berghaus

Be it remembered that heretofore to wit on the twelfth day of September in the year of our Lord one thousand eight hundred and twenty the said Peter M Mortz by Thomas L Emory junior Esquire his attorney prosecuted and sued forth out of the County Court here the writ of the State of Maryland of Capias ad respondendum directed to the Sheriff of Baltimore County in form following to wit:

The State of Maryland to the Sheriff of Baltimore County greeting We command you that you take Henry C Berghaus late of Baltimore County yeoman if he shall be found in your bailiwick ~~that~~ him so taken you safely keep so that you have his body before the Judges of Baltimore County Court at the Court house in the same county on the third monday in September instant to answer unto Peter M Mortz in a plea that he render

unto the said Peter M Mortz the sum of one hundred and thirty dollars current money which to him he owes and from him unjustly detains &c. Hereof fail not at your peril and have you then and there this writ witness the honourable Walter Dorsey Chief Judge of our said Court the tenth day of July in the year eighteen hundred and twenty. Issued the 12th day of September 1820. Wm Gibson clerk

And the said Peter M Mortz by his attorney aforesaid on the day of prosecuting and suing forth of the foregoing writ declared against the said Henry C Berghaus in the plea aforesaid as follows to wit Baltimore County to Henry C Berghaus late of Baltimore County yeoman was summoned to answer unto Peter M Mortz in a plea that he render unto the said Peter M Mortz the sum of one hundred and thirty dollars which he owes the said P M Mortz - unjustly detains &c and whereupon the said Plaintiff by Thos L Emory Jr his attorney says that whereas the said defendant on the twelfth day of February in the year of our Lord eighteen hundred and nineteen at Baltimore County aforesaid by his certain writing obligatory sealed with his seal and to the court now here shewn the date whereof is the day and year aforesaid did promise to pay to the said plaintiff on the first day of September eighteen hundred and nineteen the sum of one hundred and thirty dollars nevertheless the said defendant although often requested to wit on the day and year last aforesaid and often afterwards to wit at the County aforesaid hath not yet paid the said sum of money or any part thereof to the said plaintiff but hitherto hath refused and to pay the same to the said plaintiff still doth refuse to the damage of the said plaintiff in the sum of two hundred dollars current money and thereof they bring suit and so forth.

Thos L Emory Jr attorney for the plaintiff

A copy of which said declaration was made and sent with the said writ to the Sheriff of Baltimore County aforesaid thereon endorsed "to be served on the defendant"

At which mentioned third monday of September to wit in the year of our Lord one thousand eight hundred and twenty being the return day of the foregoing writ comes into the County Court here the said Peter M Mortz by his attorney aforesaid and the sheriff of Baltimore County aforesaid to wit John Stevenson