Lambert and Johnes } Be it remembered that on the last
vs. } Monday in November, being the twenty ninth day of
Frederick Holbrook } the said month, in the year of our Lord Eighteen
hundred and nineteen, the Chief Judge and associate Judges of the fourth 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 Caroline, between Lambert & Johnes, plaintiffs
and Frederick Holbrook, defendant, and wherein the said County Court gave judgment for the
said Lambert & Johnes against the said Frederick Holbrook, and from which said judgment
the said Frederick Holbrook appealed to this Court of Appeals here; the tenor of which
said record of proceedings, is in form following, to wit: Maryland Caroline County, to wit
At a County Court of the fourth Judicial District of the State of Maryland begun and
held at Denton in and for Caroline County aforesaid on the second Monday of October it being the
eleventh day of the said month, in the year of our Lord one thousand eight hundred & nineteen
and in the forty fourth year of the Independence of the United States of America —
Were present — The Honorable William Matthews Esquire Chief Judge.
James B. Robins & William Whittington Esquires Associates
H. Richardson Clk
William McDonald Esquire Shff.
In the record of proceedings of the said Court amongst others were the following to wit.
Lambert & Johnes } Be it remembered that heretofore, to wit, on the eighteenth day of
vs. } September in the year of our Lord one thousand eight hundred
Frederick Holbrook } and eighteen the said Lambert & Johnes by John Brown their Attorney
presented and gave forth out of Caroline County Court here the writ of the State of Maryland
Sans of Capias ad respondendum, directed to the Sheriff of Caroline County in the words
and of the tenor following, to wit. "Caroline County, to wit. The State of Maryland to the
Sheriff of Caroline County Greeting. We command you that you take Frederick Holbrook,
late of Caroline County, yeoman, if he shall be found in your bailiwick and him safe keep,
so that you have his body before the Judges of Caroline County Court, to be held at Denton in
and for the said County, on the second Monday of October next, to answer unto Lambert &
Johnes in a plea of trespass on the case &c. Hereof fail not at your peril and have you
then and there this writ. Witness the honorable William B. Martin Esquire Chief Judge of
our said Court the 7th day of March Anno Domini 1818. Issued the 11th day of
September 1818. H. Richardson Clk." All which said second Monday of October being the
twelfth day of the said month, in the year of our Lord one thousand eight hundred &
eighteen, and the return day of the aforementioned writ, came into the County Court here the
said Lambert & Johnes by their Attorney aforesaid, and the Sheriff of Caroline County aforesaid
to whom the aforementioned Writ was in form aforesaid directed, makes return thereof, makes
return thereof to the Court here thus endorsed, to wit. "Cepi. Geo. A. Smith, Shff."
And the said George A. Smith Sheriff as aforesaid although solemnly called upon by order
of the Court on motion of the said Lambert & Johnes by their Attorney aforesaid to bring into Court
here the body of the said Frederick Holbrook, whom he might have had this day in
pursuance of the command of the writ aforesaid and according to the tenor of his return thereof as
aforesaid brings not into Court here the said Frederick Holbrook but therein doth make default
Whereupon on motion of the said Lambert and Johnes by their Attorney aforesaid it is ruled by
the Court here that the said George A. Smith Sheriff as aforesaid be amerced the sum of one dollar

and the costs and charges that have accrued or may accrue in the premises in which case George A.
Smith is so as aforesaid amerced, unless the said George A. Smith Sheriff as aforesaid have the body
of the said Frederick Holbrook before the Court here at the next Term of the Court here, to be
held at Denton on the first Monday of March next, and by the second day thereof to answer unto
the said Lambert & Johnes in the plea aforesaid; the same day is given to the said Lambert & Johnes also
At which said first Monday of March being the first day of the same month in the year of our Lord
one thousand eight hundred and nineteen, came again into the County Court here the said Lambert &
Johnes by their Attorney aforesaid, and the said George A. Smith Sheriff as aforesaid, in pursuance
of the Command of the writ aforesaid, and according to the tenor of his return thereof as aforesaid,
and in compliance with the rule of the Court aforesaid, and to save his amercement aforesaid brings
into Court here the body of the said Frederick Holbrook; whereupon the ordered by the Court here
that the rule and amercement aforesaid be discharged and stricken out; and thereupon on motion
of the said Lambert and Johnes by their attorney aforesaid, this rule by the Court here that the said Frederick
Holbrook give Special bail in the plea aforesaid; whereupon a certain George Collins of
Caroline County comes here into Court in his own proper person and with the consent of the said Lambert
and Johnes by their said attorney becomes pledge and bail for the said Frederick Holbrook, that if
it shall happen that the said Frederick Holbrook shall be convicted at the suit of the said
Lambert and Johnes in the plea aforesaid, then the said George Collins consents, that all such
damages costs and charges as shall be adjudged unto the said Lambert and Johnes in this behalf
shall be made of his body, lands and chattels, and levied to the use of the said Lambert and
Johnes; if it shall happen that the said Frederick Holbrook shall not pay the said damages
costs and charges, or render himself to the prison and custody of the Sheriff of the County afor.
on that occasion; and thereupon the said Lambert and Johnes by their attorney aforesaid declare
against the said Frederick Holbrook in the plea aforesaid in form following to wit
Caroline County to wit. Frederick Holbrook late of Caroline County yeoman was attached to
answer unto Lambert and Johnes in a plea of Trespass on the case &c. And whereupon the
said Lambert and Johnes by John Brown their attorney complain that whereas on Peter
Bell on the twenty sixth day of November in the year Eighteen hundred and seventeen at
Collins Cross roads that is to say at the County aforesaid, made his certain note in writing
commonly called a Promissory Note, his own proper hand being thereto signed, bearing date the
day and year aforesaid, and thereby on the first day of May next ensuing the date thereof
promised to pay to the order of the said Frederick, without defalcation Four hundred and fifty
eight dollars and ten cents for value received and payable in Baltimore Bank notes at
the Caroline Bank at Denton, Maryland, and then and there delivered the said Note to the
said Frederick, to whose order the payment of the said sum of money contained in the said
Note was to be made afterwards and before the payment of the said sum of money in the said Note
specified, or any part thereof, and also before the time appointed by the said Note for the payment
thereof, at the County aforesaid endorsed the said Note, his own proper hand being thereto subs-
cribed, by which said endorsement the said Frederick ordered and appointed the said sum of
money in the said Note specified to be paid to the said Lambert and Johnes and then and
there delivered the said Note so endorsed to the said Lambert and Johnes, of which said endorse-
ment so made on the Note as aforesaid, the said Peter Bell afterwards, that is to say on the
day and year first aforesaid, at the County aforesaid had notice, and the said Lambert &
Johnes aver that afterwards and after the said first day of May in the said Note mentioned
that is to say on the fourth day of May Eighteen hundred and eighteen at the County afor.