General Court here the writ of the State of Maryland of habeas corpus cum causa, to the Justices of Frederick County Court and the Sheriff of the said County, directed, in manner and form and of the tenor following, to wit; —— The State of Maryland, Ss. To the Justices and Sheriff of Frederick County, Greeting. Whereas a certain John Higer late of Frederick County, is detained in the prison of our said County under the custody of you, our said Sheriff at the suit of a certain Henry Schell assee of a plea of debt, and so forth, which said plea, as it is said, sticd depends before you, our said Justices, undetermined; and we being willing, for divers, causes that the plea aforesaid, undetermined as aforesaid, should be heard and determined before the Judges of our General Court, Therefore we command you that you have the body of the said John Higar by whatsoever name or names he may be called in the plea aforesaid, together with the cause of his caption and detention, and all things thereunto relating before the Judges of our General Court, to be held at the City of Annapolis the second Tuesday of May next, that the Judges of our said General Court may further proceed therein, therein justice appertains, and so forth, Hereof fail not at your peril, and have you then and there this writ, Witness the honourable Robert Hanson Harrison, Esquire, chief Judge of our said Court the 18th day of November Anno Domini 1788. Issued the 15th day of April anno Domini 1789. Ss. John Gwinn, Clk.

At which said second Tuesday of May being the twelfth day of the said month in the year of our Lord One thousand seven hundred and ninety and the return day of the aforegoing writ, the Justices of the County aforesaid, and the Sheriff of the County aforesaid, in obedience to the command contained in the said writ, to wit, the said Justices certify and transmit to the Court here a record of the proceedings before the said County Court had, containing the cause of the caption and detention of the said John Higer in the plea aforesaid, and all things thereunto relating, and which said record of proceedings is in form following, to wit;

Maryland Frederick County, to wit, At a County Court begun and held at Frederick Town in and for the County aforesaid on the third Tuesday and seventeenth day of March in the year of our Lord One thousand seven hundred and eighty nine, Were present

The Worshipful.

Upton Sheredine	William Murdock Beall	William Magruder
William Beatty	William Luckett	Henry Darnall
Jacob Young	John Ross Key	George Murdock and
James Johnson	George Scott	John Gwinn.

Gentlemen Justices in and for the County aforesaid duly commissioned and sworn

Peter Manly Gentleman Sheriff. William Ritchie Clerk.

are the following proceedings, to wit,

Henry Schell assignee of John Gittinger against John Higer

Removal by Habeas Corpus

Be it remembered that heretofore to wit, the seventeenth day of April in the year seventeen hundred and eighty eight command was given to the Sheriff of Frederick County that he should take John Higer late of Frederick County farmer otherwise called John Higer if he should be found in his Bailiwick and him should safe keep so that he might have his body before the justices of the then next County Court to be held at the Court house in Frederick Town in said County on the third Tuesday of August then next to answer unto Henry Schell assignee according to the form of the act of assembly in such case,

case lately made and provided of John Hittinger in a plea that he render unto him the sum of One hundred pounds Current money which to him he owed and from him unjustly detained and so forth, and that thereof he the said Sheriff should not fail at his peril and that he should have then there that writ and so forth.

And the aforesaid Henry Schell assignee as aforesaid by his said attorney declared against the said John Higer in the plea aforesaid, as follows, to wit; Frederick County, to wit, John Higer late of Frederick County farmer otherwise called John Higer was summoned to answer unto Henry Schell assignee according to the form of the act of assembly in such case lately made and provided of John Hittinger in a plea that he render unto him the sum of One hundred pounds current money which to him he owes and from him unjustly detains and so forth. And whereupon the said Henry by Joshua Dorsey his attorney saith that whereas the aforesaid John Higer on the twenty seventh day of February in the year of our Lord one thousand seven hundred and eighty six at Frederick County aforesaid by his certain writing obligatory acknowledged himself to be held and firmly bound unto the said John Hittinger in the sum of One hundred pounds current money to be paid unto the said John Hittinger when afterwards he should be thereunto required. The same John Hittinger afterwards, to wit, on the first day of September in the year of our Lord One thousand seven hundred and eighty seven at Baltimore County (having on the day and year last mentioned first made oath before Thomas Rutledge then one of the Justices of Baltimore County endorsed on the said writing obligatory that he had received no part of the sum mentioned in the said writing obligatory) by a writing upon the said writing obligatory made with his proper hand subscribed and with the seal of him the said John Hittinger sealed bearing date the said first day of September seventeen hundred and eighty seven according to the form and effect of the act of assembly aforesaid and all his right title and interest therein to him the said Henry Schell did assign whereof the aforesaid John Higer afterwards, to wit, on the day and year last aforesaid at Frederick County had notice by virtue whereof and also by force of the act of assembly in such case made and provided hath accrued unto him the said Henry Schell to demand and have of him the said John Higer the aforesaid sum of One hundred pounds current money. Nevertheless the aforesaid John Higer although often afterwards thereunto required the aforesaid sum of One hundred pounds Current Money or any part thereof to him the said Henry hath not rendered or paid but the same to him the said Henry to render or pay hath hitherto altogether refused and still doth refuse wherefore the said Henry saith he is the worse and hath damage to the value of seventy five pounds current money of Maryland and therefore he brings suit and so forth and brings here into Court as well the writing obligatory aforesaid sealed with the seale of him the said John Higer whose date is the day and year first aforesaid as the Oath and assignment aforesaid which the debt Oath and assignment aforesaid in form aforesaid Testify. Pledges &c John Doe & Rich. Roe.

And the aforesaid John Higer by Baker Johnson his attorney comes and defends the force and injury when and so forth and prays a hearing of the writing obligatory aforesaid and the condition thereof together with the Oath and assignment thereof thereon endorsed and he hath them as follows, to wit; Know all men by these presents that I John Higer am held and firmly bound unto John Hittinger in the just and full sum of One hundred pounds current money to be paid unto the said John Hittinger his heirs, Executors, and administrators or assigns To the which payment I bind myself my heirs Executors and administrators firmly by these presents sealed with my