George Maguder and
Patrick Maguder use of
Robert McKim and
Alexander McKim
against
Walter Brookes

Be it remembered that heretofore to wit On the thirteenth day of October in the year of our Lord one thousand seven hundred and ninety eight the said Walter Brookes by William Wallace his attorney sued out of the General Court here the writ of the State of Maryland of Habeas Corpus directed to the Chief Justice and associate Justices of Montgomery County Court and to the Sheriff of the said County, in the words and figures following, to wit. The State of Maryland &c. To the Chief Justice and Associate Justices of Montgomery County Court and the sheriff of the said County Greeting: Whereas a certain Walter Brookes is detained in the prison of the said County under the Custody of you the said Sheriff at the suit of a certain George Maguder and Patrick Maguder in a plea of trespass on the Case and so forth which said plea as it is said still depends before you the said Justices undetermined and the General Court being willing, for divers Causes that the plea aforesaid undetermined as aforesaid should be heard and determined before the General Court therefore you are hereby commanded, that you have the body of the said Walter Brookes 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 said General Court to be held at the City of Annapolis the second tuesday of May next, that the said General Court may further proceed therein as to Justice appertains and so forth. Hereof fail not at your peril and have you then and there this writ. Witness the honorable Robert Goldsborough Esquire Chief Judge of the said General Court the 9th day of October in the year of our Lord one thousand seven hundred and ninety eight Issued the 13th day of October 1798. W.W. Ant. Gwinn Clk.

At which said second Tuesday of May being the fourteenth day of the same month in the year of our Lord one thousand seven hundred and ninety nine and the day of the return of the aforegoing writ the Chief justice and Associate Justices of Montgomery County Court and the Sheriff of the said County to whom the writ aforesaid was in form aforesaid directed in compliance with the same make return thereof to the Court here with the following Record annexed to wit.

State of Maryland Montgomery County Sct. At



At a County Court begun and held at the Court house in and for the County aforesaid on the first Monday in November being the fifth day of the same month Anno Domini one thousand seven hundred and ninety eight.

Were present

Richard Potts Esquire Chief Justice
Charles A. Beatty Associate Justice
Benjamin W. Jones Gentleman Sheriff — Upton Beall Clk.

In the Record and proceedings of the same Court is the following, to wit

George Maguder and
Patrick Maguder use of
Robert and Alexander McKim
against
Walter Brookes.

Montgomery County, to wit. Be it remembered that the Plaintiffs in this Cause by John Thompson Mason their attorney sued out the State of Maryland a writ of Capias ad respondendum the tenor whereof ensues as follows to wit.

Montgomery County to wit. The State of Maryland to the sheriff of Montgomery County Greeting: We command you that you take Walter Brookes late of Montgomery County Gentleman if he shall be found in your bailiwick and him safe keep so that you have his body before the justices of our next County Court to be held at the ~~City~~ Court house in Montgomery County on the first Monday of November next, to answer unto George Maguder and Patrick Maguder in a plea of trespass on the Case and so forth. Hereof fail not &c. Witness Richard Potts Esquire Chief Justice of the said Court the 6th day of March in the year of 1797. Issued 20th day of September 1797. J.T. Mason. Upton Beall Clk.

And the said George Maguder and Patrick Maguder by their attorney aforesaid, declared against the said Walter Brookes in the plea aforesaid as follows to wit.

State of Maryland Western Shore Montgomery County to wit. Walter Brookes late of Montgomery County Gentleman was attached to answer unto George Maguder and Patrick Maguder in a plea of trespass upon the Case and so forth. And whereupon the said George and Patrick Maguder by John Thompson Mason their attorney complain that whereas the said Walter Brookes on the sixth day of March in the year one thousand seven hundred and ninety seven at Montgomery County aforesaid was indebted to the said George and Patrick in the sum of thirty five pounds three