October in the year of our Lord one thousand seven hundred and ninety nine
Issued the eleventh day of October 1799 (M.M.) John Guinn clk

At which mentioned second tuesday of May being the thirteenth day of the same month in the year of our Lord one thousand eight hundred, and the day of the return of the aforegoing writ, The worshipful the Chief Justice, associate Justices and Sheriff of Montgomery County to whom the same writ was made and directed, in pursuance thereof and the command therein contained, make return thereof to the court here with the following record to wit.

State of Maryland. Montgomery County Sc.

At a county court begun and held at the court house in and for the county aforesaid on the first monday of November, anno Domini one thousand seven hundred and ninety nine

Were present { Thomas Plater Esquire, Charles A. Beatty Esquire } associate Justices

Benjamin H. Jones Esq. Shff. — Upton Beall clk.

In the record and proceedings of the same court is the following to wit

Walter Brookes use of John Smith Brookes against James Bowie Brookes	Montgomery County Sc. Be it remembered that the plaintiff in this cause by Allen B. Duckett his attorney sued out the State of Marylands writ of capias ad respondendum to the Sheriff of

the same county directed, 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 James Bowie Brookes late of Montgomery county planter if he shall be found in your Bailiwick and him safe keep so that you have his body before the Judges of our next county court to be held at the court house in montgomery county on the first monday of November next to answer unto Walter Brookes in a plea that he render unto him the just and full sum of seventy five pounds ten shillings and ten pence current money which to him he owes and unjustly detains and so forth. Hereof fail not &c. Witness Richard Potts, Esq.r Chief Justice of our said court the 11th day of March in the year 1798.

Issued the 19th day of October 1798. (A.B.D.) Upton Beall clk.

At which said first monday in November anno Domini one thousand seven hundred and ninety eight being the day of the return of the aforegoing writ comes the said Wallis Brookes by his attorney aforesaid and the Shff of the County aforesaid to whom the said writ was directed likewise comes and makes return thereof to the court here thus endorsed to wit

Cepi. Benj.a H. Jones Shff.

And the said James Bowie Brookes being called upon appears here in court by William Wallace his attorney. Thereupon at the prayer of the said Walter Brookes by his attorney aforesaid, the aforesaid James Bowie Brookes is adjudged to give special bail to the action aforesaid. Whereupon a certain Benjamin Gaither of the county aforesaid present here in court undertakes for the said James B. Brookes that in case the said Walter Brookes shall recover Judgment against the said James Bowie Brookes in the plea aforesaid, or that he the said James Bowie Brookes shall be thereon legally convict, that then the said James Bowie Brookes shall pay the condemnation of the court thereupon, or render his body to the custody of the Sheriff of the county aforesaid in satisfaction thereof, or that he the said Benjamin Gaither will do the same for him. And the said James Bowie Brookes by his attorney aforesaid defends the force and injury when and so forth and prays that the said Walter Brookes may be ruled to declare against him in the plea aforesaid and it is granted unto him, and also prays leave of the court here to Imparle until the first monday in march next following and he hath it the same day is given to the said Walter Brookes here &c.

At which said first monday in March anno Domini one thousand seven hundred and ninety nine, comes here again into court the parties aforesaid by their attorneys aforesaid, and the said James Bowie Brookes as before defends the force and injury when and so forth, and prays further leave of the court here to Imparle until the first monday in November next following and he hath it the same day is given to the said Walter Brookes here &c.

And now here at this day to wit the first monday in November anno Domini one thousand seven hundred and ninety nine, comes here again into court as well the said Walter Brookes by Truman Tyler his attorney as the said James Bowie Brookes by his attorney aforesaid. And the said Walter Brookes by his attorney aforesaid declares against the said James Bowie Brookes in the plea aforesaid as follows to wit. Montgomery County to wit. James Bowie Brookes late of Montgomery county planter, otherwise called James Bowie Brookes was summoned to answer unto Walter Brookes, in a plea that he render unto him the full and just sum of seventy five pounds ten shillings and ten pence current money which to him he owes and from him unjustly detains and so forth. And whereupon the said Walter by Truman Tyler his attorney saith that whereas the aforesaid James Bowie Brookes on the twenty fifth day of March seventeen hundred and ninety six at Montgomery county aforesaid, by his certain bill obligatory promised and obliged himself to pay or cause to be paid unto him the said Walter the aforesaid sum of seventy five pounds ten shillings and ten pence current money when afterwards he should be thereunto required. Nevertheless the

aforesaid