Robert Maxwell and John Brooks against Gilbert Semans

Memorandum the Defendant by Samuel Earle his Attorney Sued out the State's Writ of Habeas Corpus the tenor whereof issues in the following Words, to wit;

The State of Maryland. To the Justices and Sheriff of Kent County Greeting: Whereas a Certain Gilbert Semans is detained in the Prison of our said County under the Custody of you our said Sheriff at the Suit of a certain Robert Maxwell & John Brooks in a plea of Debt which said plea as it is said still depends before you our said Justices undetermined and we being willing for divers Causes that the Plea aforesaid undetermined as aforesaid shall be heard and determined before the Judges of our General Court We therefore Command you that you have the Body of the said Gilbert Semans 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 for the Eastern Shore of this State at Talbot County Court house the second Tuesday of April next that the Judges of our said General Court may further Proceed therein as to Justice appertains &c Hereof fail not at your peril and have you then and there this Writ Witness Robert Hanson Harrison Esq. Chief Judge of our said General Court this sixth day of October Anno Dominii 1786.

Issued the 17th day of February 1787. James Earle Clk.

(Seal) Sheriff

At which day to wit the said second Tuesday in April seventeen hundred and eighty seven being the day of the return of the aforegoing Writ the Justices and Sheriff of Kent County in contempt of the Writ aforesaid made no return thereof. Thereupon it was ruled by the Court here that whereas on the seventeenth day of February seventeen hundred and eighty seven a certain Gilbert Semans late of Kent County obtained out of our General Court his Writ of Habeas Corpus directed to the Justices and Sheriff Kent County Commanding them that they shou'd have the body of the said Gilbert Semans by whatsoever name or names he might 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 said Court to be held for the Eastern Shore of this State at The Court House in Talbot County the second Tuesday of April then next following that the Judges of the said General Court might further proceed therein as to Justice appertains &c: And whereas our said Justices and Sheriff of Kent County did not make

return of the Record and Proceedings aforesaid nor the body of the said Gilbert Semans before our said Judges: Wherupon we further Commanded them that they should have the Body of the said Gilbert Semans by whatsoever name or names he might be called in the Plea aforesaid together with the cause of his Caption and detention and all things thereunto relating before the Judges of the General Court to be held for the Eastern Shore of this State at Talbot County Court House the second Tuesday of September then next that the Judges of our said Court might further proceed therein as to Justice appertained &c. At which said second Tuesday in September the Justices and Sheriff of Kent County afd. in compliance with the Rule aforesaid made return of the Writ aforesaid with the following Record Annexed, to wit;

The State of Maryland. To the Justices and Sheriff of Kent County Greeting: whereas a certain Gilbert Semans is detained in the Prison of our said County under the Custody of you our said Sheriff at the suit of a certain Robert Maxwell & John Brooks in a Plea of Debt which said Plea as it is said Still depends before you our said Justices undetermined and we being willing for divers causes that the Plea aforesaid undetermined as aforesaid shall be heard and Determined before the Judges of our General Court We therefore Command you that you have the Body of the said Gilbert Semans 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 for the Eastern Shore of this State at Talbot County Court house the second Tuesday of April next that the Judges of our said General Court may further proceed therein as to Justice appertains &c. Hereof fail not at your Peril and have you then and there this Writ Witness Robert Hanson Harrison Esq. Chief Judge of our said General Court this sixth day of October Anno Dominii 1786.

Issued the 17th day of February 1787. James Earle Clk.

(Seal)

The Execution of the above Writ appears by the following Proceeding, The Answer of John Scott, James Claypoole, Richard Graves, John Woodland Donaldson Yeates John Page, John Thomas, James Henry & Jeremiah Nicols Esq.rs Justices of the Peace for Kent County and George Hanson Esq. high Sheriff of the same County We John Scott, James Claypoole, Richard Graves, John Woodland, Donaldson Yeates John Page, John Thomas, James Henry & Jeremiah Nicols Justices as aforesaid and George Hanson Sheriff To the Honorable the Judges of the General Court for the Eastern Shore of the State of Maryland certify that