Matthew Hawkins
against
John Kernes

Be it remembered that on the thirteenth day of July anno Domini one thousand seven hundred and eighty eight. The Defendant in this Cause by Robert Wright his attorney sued out of our Eastern Shore General Court the State of Maryland a writ of Habeas Corpus which here follows. The State of Maryland. Sc. To the Justices and Sheriff of Queen Anns County. Greeting whereas a certain John Kerns late of Queen Anns County is detained in the prison of your said County under the Custody of you our said Sheriff, at the suit of a certain Matthew Hawkins of a plea of Debt and so forth, 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, 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 Kerns 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, in Talbot County at the Court house in the same County, the second Tuesday of September next that our said Judges of our said General Court may further process 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 Hanson Harrison, Esquire, Chief Judge of our said Court this 18th day of April anno Domini 1788. Teste the 30th day of July anno Domini 1788. RW. James Earle C.

At which said second Tuesday in September term in the year seventeen hundred and eighty eight, being the day for the return of the aforegoing writ of Habeas Corpus, the Justices and Sheriff of Queen Anns County, in Obedience to the Command aforesaid make return thereof to the Court here with the following Rule annexed to wit,

The State of Maryland. Queen Anns County to wit. At a County Court begun and held at Chester Mill in and for the said County on the monday before the fourth Tuesday in July being the twenty first day of the same month anno Domini one thousand seven hundred and Eighty eight by the Commissioners and Officers duly authorized and appointed to hold the same Court, Present, the Worship full John Brown, Esquire Chief Judge, Clement Sewell, Arthur Emory, Edward Downes, John Fisher, John Thompson, George Baynum, Abraham Falconer, and Henry Pratt, The Worship full Esquires Justices, James O'Bryan, Esqr. Sheriff. Saml. Wright C.

Among the Records of Proceedings of the same Court are the following to wit.

Matthew Hawkins against John Kearnes — Be it remembered that heretofore to wit the seventeenth day of February seventeen hundred and eighty seven, Command was given to the sheriff of Queen Anns County, that he should take John Kearnes, late of Queen Anns County farmer otherwise called John Kearnes of Queen Anns County if he should be found in his bailiwick and him safe keep so that he might have his body before the Justices of the then next County Court to be held for Queen Anns County at Chester Mill in the County aforesaid on the monday before the fourth Tuesday in March next to answer unto Matthew Hawkins of a plea that he render unto him the full and just sum of two hundred and twelve pounds four shillings and eight pence current money which to him he owes and unjustly detains and so forth that thereof he should not fail at his peril and that he have then and there this writ &c. And now here at this day to wit the monday before the fourth Tuesday in March being the twenty sixth day of the same month anno Domini 1787 and the day of the return of the aforegoing writ comes the said Matthew Hawkins by Joshua Seney his attorney and the sheriff of Queen Anns County to shew the same writ was made and executed likewise comes and makes return thereof to the court here thus endorsed to wit. Capi James O'Bryan Sheriff. And the aforesaid John Kearnes being called upon appears and at the prayer of the plaintiff by his attorney aforesaid is adjudged to give special bail to the action aforesaid in the plea aforesaid. Whereupon a certain Valentine Honey of Queen Anns County aforesaid farmer here in Court undertakes for the said John Kearnes that in case the said Matthew Hawkins shall recover Judgment against the said John Kearnes in the plea aforesaid or that therein the said John Kearnes shall be legally convict that then the said John Kearnes shall pay the Condemnation money thereupon or render his Body into the Custody of the sheriff of Queen Anns County aforesaid in discharge thereof or that he the said Valentine Honey would do the same for him and of this he acknowledges himself to be content. And the said John Kearnes by Robert Wright his attorney comes and defends the force and injury when and so forth and prays leave to imparle hereunto until next Court and he hath it. And the same day is given to the plaintiff also. At which said next Court to wit the 23d day of July anno Domini 1787 comes again as well the said Matthew Hawkins by his attorney aforesaid as the said John Kearnes by his attorney aforesaid. And thereupon Matthew Hawkins, by his attorney aforesaid declares against the aforesaid John Kearnes in the plea aforesaid as follows to wit. Queen Anns County to wit. John Kearnes late of Queen Anns County farmer otherwise called John Kearnes of Queen Anns County was summoned to answer unto Matthew Hawkins of a plea that he render unto him the full and just sum