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 first day of October anno Domini 1789. Issued the 17th day of March anno Domini 1790. (Test) James Earle Clk.

At which said second Tuesday in April term, in the year Seventeen hundred and ninety being the day for the Return of the aforesaid writ of Habeas Corpus, came the said Charles Emory by James Tilghman and William Tilghman his attorneys and the Justices and Sheriff of the County aforesaid in Obedience to the Command aforesaid made return of the same writ with the following endorsement thereto annexed, to wit, The State of Maryland. At a County Court of the said State held for Caroline County, at Melvills warehouse in the County aforesaid on the Monday before the third Tuesday in March in the year Seventeen hundred and ninety By the said State Commissioners and officers authorized and impowered to hold the said Court of whom were present

The Worshipful Mess.rs { Joseph Richardson, Peter Lamondson, John Baracastle, Thomas Mason } Justices.

Thomas Hughlett Esq.r Sheriff

Wm. Richardson Clk.

Charles Emory for the use of Stephen V. Hachus Collins } Caroline County, to wit. Command was given to the Sheriff of Caroline County, the second day of March Seventeen hundred and eighty nine, that he should take Arthur Emory late of Caroline County Merchant, if he should be found in his Bailiwick and him safely keep so that he might have his Body before the Justices of our County Court to be held at Melvills warehouse on the Monday before the third Tuesday in March then instant, to answer unto Charles Emory of a plea that he render unto him the sum of five hundred and eighteen pounds Sixteen Shillings and eight pence current money which the same he owes and from him unjustly detains and so forth, and that thereof he the said Sheriff should not fail &c. At which said Monday before the third Tuesday in March came the aforesaid plaintiff by George Ward his attorney and the Sheriff of the County aforesaid made return of the writ aforesaid thus endorsed viz.t Exi. Thos. Hughlett Shff. and the aforesaid Arthur Emory being called upon appeared, and at the prayer of the plaintiff by his said attorney he is adjudged to give special bail to the action aforesaid. Thereupon Alexander Robertson of Caroline County planter came into Court before the Justices aforesaid in his proper person and became pledge and mainpernor for the said Arthur Emory, that if it should happen that the same Arthur in the plea aforesaid should be convicted, then the same Alexander granted that of the Debt aforesaid as all such Damages which unto the aforesaid plaintiff in this part should be adjudged of his lands and chattels should be made and to the use of the plaintiff levied, if it should happen that the same Arthur the Debt and Damages aforesaid unto the aforesaid plaintiff should not pay or himself to the public prison of Caroline County &c. by that Occasion should not render, and the Def. Arthur Emory by Nicholas Hammond his attorney came and defended the force and injury when &c. and prayed liberty of imparling thereof here until the Monday before the third Tuesday in June next and he had it the same day was given to the Def. plaintiff here &c. At which said Monday before the third Tuesday in June, came the parties aforesaid by their attorneys &c. and the aforesaid Defendant by his said attorney prayed further liberty of imparling thereof here until the Monday before the third Tuesday in October next and he had it the same day was given to the said plaintiff here &c. At which said Monday before the third Tuesday in October, came the parties aforesaid by their said attorneys, and the aforesaid Defendant by his said attorney prayed further liberty of imparling thereof here



until the Monday before the third Tuesday in March next and he had it the same day was given to the Def. plaintiff here &c. And now here at this day to wit, the Monday before the third Tuesday in March in the year Seventeen hundred and ninety Come as well the aforesaid plaintiff by James Tilghman his attorney, as the aforesaid Defendant by his said attorney who produceth to the Court here the State writ of Habeas Corpus in these words and figures following to wit, "The State of Maryland to the Justices and Sheriff of Caroline County greeting, whereas a certain Arthur Emory late of Caroline County Merchant, is detained in the prison of your said County under the Custody of you our said Sheriff at the suit of a certain Charles Emory in a plea of Debt and so forth which said plea as it is said State depends before you our said Justices undetermined; and he 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 Arthur Emory 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 April next, that our said Judges of our said General Court may further proceed therein as to Justice appertains and so forth. Thereof 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 first day of October anno Domini 1789. Issued the 17th day of March anno Domini 1790. James Earle Clk.

which said writ of Habeas Corpus is by the Court here received and allowed. Wm. Richardson Clk.

In Testimony that the aforegoing is faithfully transcribed from one of the Minute Books of Caroline County aforesaid now remaining in my Office I hereto affix the public Seal of my Office this 24th day of March anno Domini 1790.

(Seal of Caroline County)

Wm. Richardson Clk.

And the said Charles Emory by his attorney aforesaid came into our said General Court and offered his Declaration in the plea aforesaid which here ensues as follows to wit,

The State of Maryland to wit, Arthur Emory late of Caroline County, Merchant was summoned to answer unto Charles Emory of a plea that he render unto him the sum of five hundred and eighteen pounds Sixteen Shillings and eight pence current money which from him he unjustly detains &c. and so forth. And thereupon the said Charles Emory by James Tilghman his attorney saith that whereas the aforesaid Arthur Emory on the twenty ninth day of March in the year Seventeen hundred and eighty eight, at Caroline County aforesaid, by his certain writing Obligatory acknowledged himself to be held and firmly bound unto him the said Charles Emory in the aforesaid sum of five hundred and eighteen pounds Sixteen Shillings and eight pence current lawful money of the State aforesaid to be paid to him the said Charles when afterwards he should be thereunto required, yet the aforesaid Arthur although often thereunto required, the aforesaid sum of money to the said Charles hath not rendered or paid but the same to him hitherto to render or pay he hath altogether refused and still doth refuse whereof he saith he is the worse and hath damage to the value of three hundred pounds current money aforesaid, and therefore he brings suit, and so forth: and brings here into Court the writing Obligatory aforesaid, sealed with the seal of the aforesaid Arthur which the Debt aforesaid, in form aforesaid witnesseth the date whereof is the day and year aforesaid and so forth.

Ja: Tilghman for the plaintiff pledges and so forth John Doe & Richard Roe.

And the said Charles Emory by his attorney aforesaid prayed that the said Arthur Emory might be called to plead to his plea in answer to the Declaration of him the said Charles Emory, nor before the second Tuesday of September then next following or Judgment by Default thereof against the said Arthur Emory might be rendered: and it was granted unto him: The same day was given to the said Charles Emory there &c.