44 Patent duly vacated that then they find that the said Edward Diggs is guilty of the trespass and Ejectment in Manner and form as the Plaint afsd hath complained above against him; Otherwise that the said Edward Diggs is not guilty of the trespass and Ejectment in Manner and form as the Plf afsd hath complained above against him.

Whereupon the said Edward Diggs by his Atty afsd afterwards, that is to say the 2d day of May next ensuing in the same Term for some produced to the Court here her Majestys writt of Injunction which followeth in these words viz:

Mary land ss: Anne by the grace of God of England Scotland France and Ireland Queen Defender of the faith &c. to the Justices of our provinciall Court and to John Rease of Charles County Gent and to his attorneys Agents Councellors and Solicitors Greeting Whereas Edward Diggs of our said County Gent hath exhibited to us his complaint in our high Court of Chancery Showing that he the said Diggs and those under whom he claims have for above thirty years last past been peaceably possessed of a tract of Land in the said County whereon he the said Edward Diggs now dwells and that one John Rease of the said County in right of Ellinor his wife has brought Ejectment against him for the said Land and upon tryall in our provinciall Court produced for his title a grant from the Lord Baltemore which grant the said Diggs hath made appear by record to be vacated by a hearing in our high Court of Chancery and therefore tendered his Demurrer to the validity of that Evidence which you the Judges of our provinciall Court (against the known rules and practice of Law in such cases) as he said refused to admit Therefore we do hereby strictly charge Command and firmly enjoyn you the said Judges and all and every of you the Justices of our said Court and also you the said John Rease and your the Attys

Agents

45 Agents Councellors and Solicitors of the said John that you do from henceforth stay, surcease and forbear all further proceedings at Law either to Judgment or Execution in the said Cause untill the said [illegible] Tenor for vacating the said Grant remaine unrevoked and in force hereof you and every of you are to take due Notice at your perill Witness our selfe at Annapolis in Anne Arundell County the second day of May in the fourth year of our reign &c.

Anno 23 Dni 1705. Thomas Macnemara Atty for Diggs. John Freeman [illegible] in Chan.

Read & Granted

Which being read and by the Court here heard the Justices do Consent Superseder as they are disposed by the said writt &c.

Mary

Richard Smith Lessee vs Anne Rousby — Mary land ss: Anne Rousby late of Saint Maries County was attached to answer unto John Demmister of a plea wherefore with force and armes the said Anne unto one dwelling house and other out houses and one hundred ninety five acres of Land and pasture lying at the mouth of Potuxent river in Saint Maries County which Richard Smith of Calvert County the elder granted to the said John for a term of years yet to come and unexpired hath demised did enter and him from his farme afsd did Eject and other harmes to him did to the great damage of the said John and against the peace &c.

And whereupon the said John by William Dent his attorney complaines that whereas the said Richard Smith the tenth day of May in the year of our Lord one thousand seven hundred and four at Saint Maries County afsd did demise to the said John the Lands and tenements afsd with the appurtenances lying in Saint maries County afsd Beginning at a Marked Oake tree standing nigh the edge of the bank on the South side of Potuxent river at the end of the old division line that parted between Mrs Rousby and Joseph Edlowe viz: South five degrees west fifty eight perches then South thirty degrees west one hundred and four pole to a poplar in the edge of the said line then South twenty degrees West two hundred forty eight pole to the intersection of the South east by South line that leads from the head of Saint Patricks Creek to the head of Saint James's Creek then South east by

South