to the declaration aforesaid, according to the said notice, but makes default; Therefore it is considered by the Court here, that the said John Goodtitle Lessee of the said Basil Payne recover against the said Thomas Notitle his Term aforesaid yet to come and unexpired of, and into all that tract or parcel of Land called the Tradesman Lott containing Three hundred acres of Land lying and being in Saint Marys County aforesaid with the appurtenances, and that he have thereof his Possession against the said Thomas Notitle and soforth: Whereupon, the said John Goodtitle Lessee of the said Basil Payne by his attorney aforesaid prays the writ of the State of Maryland of Habere facias Possessionem to be directed to the Sheriff of Saint Marys County aforesaid, to cause him to have full possession of the Term aforesaid yet to come and unexpired of and into the said Tract or parcel of Land and premises aforesaid with the appurtenances, and it is granted to him returnable here, and soforth: Whereupon, afterwards, to wit, on the sixth day of December in the year of our Lord one thousand seven hundred and ninety, the said John Goodtitle Lessee of the said Basil Payne by his attorney aforesaid prosecuted and sued forth out of the General Court here of and upon the Judgment aforesaid, the writ of the State of Maryland of Habere Facias Possessionem against the said Thomas Notitle, directed to the Sheriff of Saint Marys County in form following, to wit; The State of Maryland to wit; To the Sheriff of Saint Marys County, Greeting. Whereas at a General Court begun and held at the City of Annapolis on the second tuesday of May in the year seventeen hundred and ninety a certain Basil Payne in the name of John Goodtitle recovered against Thomas Notitle late of Saint Marys County yeoman his Possession of in and unto all that Tract or Parcel of Land called Tradesmans Lot containing Three hundred acres of Land more or less lying and being in Saint Marys County aforesaid by consideration of the same Court which the said Thomas Notitle from the said Basil Payne unjustly detained. We therefore command you that without delay you cause the said Basil Payne to have full and ample Possession of in and unto the tract of Land aforesaid with the appurtenances thereunto belonging and how you shall execute this writ that you make known unto the Judges of our said Court to be held at the City of

Annapolis on the second tuesday of May next and you then and there this writ. Witness the Honorable Thomas Johnson Esquire Chief Judge of our said Court the 24th day of November Anno Domini 1790. Issued the 6th day of December 1790. (C. B. Key.) John Gwinn Clk.

And thereupon, the same day is given to the said John Goodtitle Lessee of the said Basil Payne then and there and soforth.

At which said second Tuesday of May being the Tenth day of the said month in the year of our Lord one thousand seven hundred and ninety one, and the day of the return of the aforegoing writ of Possession, comes again into the General Court here the said John Goodtitle Lessee of the said Basil Payne by his attorney aforesaid. And the Sheriff of Saint Marys County aforesaid, to whom the said writ was in form aforesaid, directed; makes return thereof to the Court here, thus endorsed to wit: "Possession delivered — P. Ford, Shff", Whereupon comes into the General Court here, Vincent Thornton by John Allen Thomas his attorney and files in Court here an affidavit in form following to wit,

Saint Marys County, to wit, on the twelfth day of April one thousand seven hundred and ninety one, came Vincent Thornton before me one of the Justices of the Peace for Saint Marys County and made oath on the holy Evangels of almighty God, that he applied to John Allen Thomas some time in the Month of April or the beginning of May seventeen hundred and ninety to appear to an Ejectment brought in the General Court for the Western Shore by a certain Basil Payne Lessee against William Bryan and James Mattingly Tenants, that the said Bryan and Mattingly were at the time Tenants to the said Vincent Thornton. That Mr Thomas engaged to take care of the suit, but as the said Thornton was informed was taken very ill and was all the time of the General Court and long after incapable of attending to Business that for want of an appearance Judgment was entered against the casual Ejector, and Possession has been delivered — Sworn before — John Allen

Thereupon, on motion of the said Vincent Thornton by his attorney aforesaid and mature deliberation being thereupon had by the Court here it is ordered by the Court here, that the said Judgment herein before entered be struck out and that Possession of and into the said Tract