By virtue of which demise, the afs.d Timothy into the premises afs.d with the appurtenances did enter and was thereof possessed, and the said Timothy so thereof being possessed, the afs.d Titus Notillo, afterwards to wit, on the same second day of January in the year seventeen hundred and eighty seven afs.d, at the County afs.d, with force and arms and so forth into the premises afs.d with the appurtenances afs.d, which the afs.d John Hamilton to him the said Timothy demised for the term afs.d, which is not yet past, entered, and him the said Timothy from his farm afs.d did eject, and other harms to him the said Timothy then and there did, to the great damage of him the said Timothy, and against the peace, government and dignity of the State of Maryland and so forth; whereby the said Timothy saith he is the worse, and hath sustained damage to the value of five hundred pounds, current money, and therefore he brings suit and so forth — R Wright for Plff: Pledges &c. In.d Dec. & Rich.d Roe

Sir/ I am informed that you are in possession of a claim title to the premises in the above Declaration mentioned, or to some part thereof: and I being sued in this Action as Casual Ejector, and having no claim or title to the same, do advise you to appear to this Declaration at the next County Court, to be held for Queen Anns County, at Chester Mill, in the said County, on the Monday before the fourth Tuesday of March next, by some Attorney of that Court, and then and there by Rule of the said Court, to cause yourself to be made Defendant in my stead, and to confess the lease, entry and ouster only at the Trial, otherwise Judgment will be given against me and you will be turned out of possession —

To Mr. James Ruth Tenant in possession of the premises or some part thereof — } I am your Friend Titus Notillo Feby 19 1787.

At which said time to wit, the Monday before the fourth Tuesday of March, in the year one thousand seven hundred and eighty eight, the Sheriff of Queen Anns County afs.d to wit, James O'Bryon makes his return to the Court then sitting of the service of the afs.d Declaration in

Ejectment, to wit, "service in time — James O'Bryon Shff."

Whereas at another time, to wit, At a County Court of the State of Maryland, held for Queen Anns County in the said State, at Chester Mill in the said County, on the Monday before the fourth Tuesday in March in the year of our Lord one thousand seven hundred and eighty eight, before John Brown Esquire and his brethren and associates, then Justices of the same Court, duly commissioned and authorised to hold the same Court, of whom were present, the Worshipful Mr. John Brown, Mr. Clement Sewell, Mr. Arthur Emory, Mr. Edward Downes, Mr. John Fisher, Mr. George Baynard, Mr. John Thompson, Mr. Abraham Falconar, Mr. Jacob Ringgold, Mr. Peregrine Fitzhugh, Mr. James Clayland and Mr. Henry Pratt Gentlemen Justices of Queen Anns County —

Mr. James O'Bryon Shff — Sam.l Wright Plff.

John Hamilton's Lessee against James Ruth } Ejectment copy Decl.d: James Ruth the Defendant in the aforegoing cause by Gustavus Scott his Attorney, presents to the Court here now sitting the State's Writ of Habeas corpus, which he prays may be allowed and complied with agreeably to the command specified in the said Writ of Habeas corpus: and whereupon the Court now present after mature consideration do allow the same, and order that a transcript of all things thereunto relating, as by the Records and proceedings of the Court may fully manifest before the Judges of the General Court to be held for the Eastern Shore of this State, and so forth; Copy of the State's Writ of Habeas corpus followeth in these words to wit; The State of Maryland to the (Seal) Justices and Sheriff of Queen Anns County greeting: Whereas a certain James Ruth is detained in the prison of our said County, under the custody of you our said Sheriff, at the Suit of a certain John Hamilton's Lessee, of a plea of Trespass and Ejectment, which said plea, as it is said, still depends before you our said Justices undetermined, and we being, for divers causes, that the plea afs.d, undetermined as afs.d, shall be heard and determined before the Judges of our General Court: Therefore