said Court the 13th day of Septr Anno Domini 1791.

Issued the 27th day of Septemr Anno Domini 1791. Tes. James Earle Clkr.

Whereupon the Court aforesaid allowed of the Writ of Habeas Corpus aforesaid and ordered that the Record and Proceedings in the Plea aforesaid be transmitted to the next General Court to be held for the Eastern Shore of the State of Maryland &c. Thomas Hayward Clk.

Seal In Testimony that the above and within is a true Copy taken from the Records Remaining in the Clerks Office of Somerset County I have hereto set my hand and affixed the Seal of my Office this tenth day of March Anno Dom. 1792

Thomas Hayward Clk of Somerset County Court

Somerset County, to wit. In obedience to the within Writ we the Justices and Sheriff within named do hereby certify to the Honourable the Judges of the General Court for the Eastern Shore of this State that we send the body of the within named Andrew Adams together with the Cause of his Caption and detention and all things thereto Relating as appears by a certain Record to this Record annexed as we are commanded &c.

(Signed by order) Thomas Hayward Clk. of Somerset County Court

And the Sheriff of the County aforesaid likewise came and made return thereof that he had then and there the body of the said Andrew Adams agreable to the exigence of the said Writ, and thereupon came here into Court as well the said Thomas Gillis by Luther Martin his Attorney as the said Andrew Adams by Gustavus Scott his Attorney; and the said Thomas Gillis by his Attorney aforesaid prayed that a rule of Court might be made to cause the said Andrew Adams to file his Plea and answer to his Declaration of him the said Thomas by the second Tuesday of September then next following, and it was granted unto him. Whereupon it was Ruled by the Court here that the said Andrew Adams should file his Plea and to the Declaration aforesaid answer by the time aforesaid or that Judgment should be rendered against him by default. The same day was given to the said Thomas.

At which said second Tuesday of September here came again the Parties aforesaid by their Attornies; and the said Andrew Adams by his Attorney aforesaid defended the force and injury when &c. and saith that he is in no wise guilty of the Trespass and Premises abovs. alledged against him the said Andrew in manner and form as the said Thomas by his Declaration aforesaid above against him the

hath complained and of this the said Andrew puts himself upon the Country &c.

And the said Andrew Adams by his Attorney aforesaid prayed that a Rule of Court might be made to cause the said Thomas Gillis to file his Replication and answer to the Plea of him the said Andrew Adams by the second Tuesday of April then next; Whereupon it was Ruled by the Court that the said Thomas should file his Replication aforesaid by the time aforesaid or that Judgment should be rendered against him by default, the same day was given to the said Andrew Adams. At which day, to wit, the second Tuesday of April in the year one Thousand seven hundred and ninety three here came again the Parties aforesaid by their Attornies aforesaid; and Whereupon further Process of and upon the Premises aforesaid was Continued to the second Tuesday of September then next following. At which day to wit, the second Tuesday of September, came again the Parties aforesaid by their Attornies aforesaid, and thereupon further Process of and upon the Premises aforesaid between the Parties aforesaid by order of the Court here thereon was continued until the second Tuesday of April then next following.

And now here at this day to wit, the second Tuesday of April in the year Seventeen hundred and Ninety four comes again as well the said Thomas Gillis as the said Andrew Adams, by their Attornies aforesaid; and the said Andrew Adams by his said Attorney relinquishing the avowment above by him pretended confesses the Judgment according to the following Terms, to wit:

Thos. Gillis } Nuisance non cul. prist. —
v. } Defendant in this Cause confesses Judgment for one Penny &
Andw. Adams } Costs, & the said Thomas Gillis hereby in Consideration thereof grants a licence to the said Andrew Adams his Executors & Administrators to continue the said Dam at its present height, not raising the same higher, for the term of Ten Years, & engages that no action shall be instituted for any Nuisance occasioned to the said Gillis's Lands during that Period, provided the Water is not raised higher than heretofore

Thos. Gillis
Andrew Adams

Gustv. Scott for Defr. L. Martin for Plff.

And upon this the said Thomas Gillis prays Judgment & the damages so acknowledged and also the Costs and Charges by him about his Suit in this behalf expended, to be adjudged to him. Therefore it is considered by the Court here that the said Thomas Gillis do recover against the said Andrew Adams the Damages aforesaid