one thousand seven hundred and eighty seven came again as well the said John Shanahan by his Attorney aforesaid as the said Jonathan Ozment by his Attorney aforesaid, and also Henry Nicols and Samuel Nicols by William Hayward their Attorney appeared here in Court and prayed that they also might be made Defendants in the Ejectment aforesaid, and by leave of the Court here were also made joint Defendants with the said Jonathan Ozment in the Ejectment aforesaid; And the said Jonathan Ozment, Henry Nicols and Samuel Nicols by William Hayward his Attorney aforesaid produces to the Court here a writ of Habeas Corpus of the State of Maryland to the Justices and Sheriff aforesaid directed the tenor whereof follows in the following words and figures, to wit — The State of Maryland to the Justices (Seal) and Sheriff of Talbot County, Greeting; Whereas a certain Jonathan Ozment, Henry Nicols & Samuel Nicols are detained in the prison of our said County, under the custody of you our said Sheriff, at the suit of John Shannahans Lessee of a plain Ejectment which said plea as it is said still depends before you our said Justices undetermined, and we 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 Jonathan Ozment, Henry Nicols and Samuel Nicols by whatsoever name or names they may be called in the plea aforesaid together with the cause of their Caption and detention, and all things thereunto relating before the Judges of the General Court to be held for the Eastern shore of this State at Talbot County Court-house the second Tuesday of April next, that the Judges of our said may further proceed therein as to justice appertains and so forth. Hereof fail not at your peril, and have you then and there this writ. Witness the honorable Robert Harrison Harrison Esq.r Chief Judge of our said Court this 28th day of September Anno Domini 1797. Issued the 7th day of November 1797. James Earle Clk.

Which being read and heard the same is by the Court allowed. And it is ordered by the same Court that the cause of the Caption and detention of the said Jonathan Ozment, Henry Nicols and Samuel Nicols, together with the record and process aforesaid and all proceedings relating to the same be accordingly transmitted before the Honorable the Judges of the General Court at their Court to be held for the Eastern shore of the said State at Talbot County Court-house on the second Tuesday of April next ensuing that the said Judges may further proceed therein as to justice appertains & so forth. — Benj.n Stevens Clk.

Talbot County, to wit. I hereby certify that the proceedings in this cause as above (Seal) and within mentioned were faithfully and exactly copied from the record and proceedings of Talbot County Court now remaining in my office. In Testimony whereof I have hereto set my Hand and affixed the public seal of my office this twentieth day of March in the year 1798. Benj.n Stevens Clk Tal: County Court —

Whereupon came here into the General Court as well the said John Shannahan's Lessee by Gustavus Scott his Attorney, as the said Jonathan Ozment, Henry Nicols & Samuel Nicols by William Hayward their Attorney and thereupon the process of and upon the premises afs.d was by the Court here continued to the second Tuesday of September then next. — At which said second Tuesday of September here came again into Court the parties afs.d by their Attorneys afs.d, and the said Defendants by their Attorney afs.d defended the wrong & injury, when & so forth. and took their defence according to their pretentions as should be laid down on the return of a warrant of survey of the premises afs.d which they prayed might be issued &c. Thereupon the process of and upon the premises afs.d was by the Court here further continued till the second Tuesday of April then next. — At which said second Tuesday of April Anno Domini Seventeen hundred & ninety eight came

here came again into Court the parties afs.d by their Attorneys afs.d, Whereupon by & with the Consent of the parties afs.d at the prayer of the said Parties by their Attorneys afs.d it was ruled by the Court here that the matter in difference between the parties afs.d be referred to the final Determination and determination of William Perry, Shadrach Evans Esquires, and if they should differ it is ordered by the Court with consent of the Parties afs.d that they shall have power to choose a third person and that Judgment should be rendered by the Court upon the award of them or any two of them & so forth. Thereupon the process upon the premises afs.d was by order of the Court here continued till the second Tuesday in September then next. — At which said second Tuesday of September, here came again into Court the parties afs.d by their Attorneys afs.d, Whereupon it was ordered by the Court at the prayer of the parties afs.d by their Attorneys afs.d, and with the joint consent of the parties afs.d, that William Perry one of the above named referees be struck out, and that Jeremiah Banning Esquire be inserted in his place. Thereupon the Process afs.d was further continued till the second Tuesday of April then next. — At which said second Tuesday of April Anno Domini Seventeen hundred & ninety, came again into Court the parties afs.d, by their Attorneys afs.d, and thereupon the process afs.d was further continued by the Court till the second Tuesday of September then next. At which said second Tuesday of September came again into Court the parties afs.d by their Attorneys, and the process afs.d was by order of Court further continued till the second Tuesday in April then next. — At which said second Tuesday of April in the year Seventeen hundred and ninety one, came again into Court the parties afs.d, by their Attorneys afs.d, and the Process afs.d was further continued by order of the Court here till the second Tuesday of September then next. — At which said second Tuesday of September, came the parties afs.d by their Attorneys afs.d, and the process on the premises afs.d was by order of the Court here further continued till the second Tuesday in April then next. — At which said second of April in the year Seventeen hundred and ninety two, came again into Court the Parties afs.d, by their Attorneys afs.d and thereupon the Process of & upon the premises afs.d was by order of Court further continued till the second Tuesday of September then next. — At which said second Tuesday of September, came again the parties by their Attorneys afs.d, and the process afs.d was by order of Court further continued till the second Tuesday of April then next. — At which said second Tuesday in April, in the year Seventeen hundred & ninety three, here came again into Court, the Parties afs.d by their Attorneys afs.d, and Jeremiah Banning and John Stevens the above mentioned referees came here to Court & filed their award which ensues as follows, to wit.

John Shannahan Lessee
a
Jonathan Ozment & Henry Nicols. } Refered by order of Court to Jeremiah Banning and John Stevens Respecting the lines of a Tract of Land Fishes Range.

After hearing the evidence offered by the Parties, and locating the several tracts of land adjoining the said several Fishes Range are clearly of opinion, that the first Boundary thereof is a large red oak standing at the head of a Branch and about twenty perches from the Beginning of another tract of Land called Gatherly Moor, and running from the said red oak the various courses according to patent of the said Fishes Range with an allowance for variation at the rate of three Minutes per year from the date of said patent, that is three Minutes per year more westerly than the present pointing of the Compass. From all which it doth appear that the Plaintiff had no cause for ejectment against the said Henry Nicols but from the particular circumstances attending the case we award that Nicols and Shannahan pay their own Cost, and that the expences arising on the surveying and laying down the said lands be equally divided between them. And that so far forth