

Transcript of Record,

FROM THE

Baltimore City Court,

IN THE CASE OF

William Ruths

Plaintiff

Against

George Reuling

Defendant

J. Tho. Mason }
Joseph Packard } *Attorney for Plaintiff*

D. R. Morrison
Attorney for Defendant,

State of Maryland,

City of Baltimore, Feb:

At a Session of the BALTIMORE CITY COURT, in the Eighth Judicial Circuit of the State of Maryland, begun and held at the Court House in the City of Baltimore, in and for the city aforesaid, on the second Monday of January (being the Twelfth day of the same month,) in the year of our Lord one thousand eight hundred and Eighty

PRESENT,

The Honorable Henry F. Gary, associate Judge of the Supreme Bench of Baltimore City, assigned to and presiding in the Baltimore City Court.

Alfred C. Smyke, Esq., Sheriff

N. C. ROBERTSON, CLERK.

Among other were the following proceedings, to wit:

William Ruths

Plaintiff

vs.

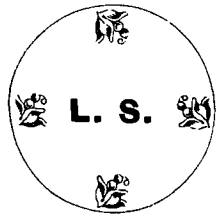
George Reuling

Defendant

Be it Remembered, That heretofore, to wit, on the eighteenth day of April in the year of our Lord one thousand eight hundred and Twenty eight the said

William Ruths

by J. Tho. Mason R. Esquire, his Attorney,
prosecuted and sued out of the Court here the writ of the State of Maryland of
Summons, directed to the Sheriff of Baltimore City, in the words and of the
tenor following, to wit:



Baltimore City, to wit:

State of Maryland,

To the Sheriff of Baltimore City. Greeting:

You are hereby commanded to Summon

George Reuling

to appear before the Baltimore City Court, to be held at the Court House in the
same city on the second Monday of May

to answer an action at the suit of

William Ruckes

and have you then and

there this writ.

Witness, the Honorable Geo. Wm. Brown, Chief Judge of the Supreme
Bench of Baltimore city, the 14" day of January 1878
Issued 18" day of April 1878

A. C. Robertson, Clerk.

And the said Plaintiff at the time of bringing his action aforesaid, declared
against the said Defendant ~~with a notice to his declaration annexed, and at the~~
~~same time also filed therewith an affidavit with a~~
which declaration ~~is~~ is in the words, figures and
tenor following, to wit:

"Declaration."

In the Baltimore City Court.

Baltimore City, to wit:

William Ruths, by John T. Mason, &
his Attorney, sues George Reuling.

For that the plaintiff, at the defendant's request, retained and employed the defendant as a surgeon and oculist to attend upon the plaintiff's wife, and endeavour to cure her of a disease under which she then labored for reward.

And the defendant accepted and entered upon the said retainer and employment; yet the defendant conducted himself in an ignorant unskilful and negligent manner in that behalf, so that the sight of the plaintiff's wife was destroyed, whereby the plaintiff lost the services of his wife, and has incurred expenses in medical and other attendance to endeavour to cure her.

And the Plaintiff claims therefor \$10,000

J. T. Mason R
Attorney for Plaintiff

State of Maryland, City of Baltimore, to wit:

I hereby certify, that on this day of
 18, before me, the subscriber, a Justice
 of the Peace of said State, in and for the City aforesaid, personally appeared
 and made oath on the Holy Evangelij of Almighty God, that there is justly due
 and owing by
 the Defendant in said case to the Plaintiff on the annexed
 (the cause of action in said cause,)
 the sum of
 (including interest to) over and above all discounts,
 to the best of his knowledge and belief.

A duly attested copy of which said declaration and notice was made and sent
 with the writ to the Sheriff of Baltimore City aforesaid, thus endorsed, to wit: "To
 be served on Defendant .."

At which said second Monday of May being
 the day of the return of the foregoing writ,
 comes into the Baltimore City Court here, the said Plaintiff by his Attorney
 aforesaid, and the Sheriff of Baltimore City aforesaid, to wit, Philip M.
 Snowden gentleman, to whom the foregoing writ was in form aforesaid directed,
 makes return thereof to the Court here, thus endorsed, to wit:
 Summoned copy left,
 Philip M. Snowden, Sheriff

And George Reuling the said defendant being called appeared in Court here by Robert D. Morrison Esquire his Attorney,

And thereupon the said defendant by his Attorney aforesaid, defends the wrong and injury &c. and says that he is "Not Guilty" of the supposed trespass above laid to his charge, or any or either of them, in manner and form as the said plaintiff hath above complained against him, and of this he puts himself upon the country &c.

And the plaintiff doth the like.

And afterwards to wit on the 15th day of May in the year eighteen hundred and Seventy Nine, the following agreement of Counsel was filed.

William R. R. }
vs } In the Baltimore
George Reuling } City Court
May Term 1879.

It is agreed in the above entitled cause that all errors of pleadings shall

be waived and that either party may prosecute or defend as they could in any state of the pleadings.

J. J. Mason, R

Attorney for Plaintiff

R. D. Morrison

Attorney for Defendant,

Thereupon further process of and upon the premises aforesaid between the parties aforesaid by order of the Court here thereon is continued until the Second Monday in January A. D. 1880.

At which said Second Monday of January in the year last aforesaid come again into Court here the parties aforesaid by their Attorney aforesaid.

And thereupon on the 20th day of February in the year last aforesaid the defendant by his Attorney aforesaid filed in Court here the following suggestion & affidavit for removal to wit:

In the Baltimore City Court,

William Ruth vs George Reuling
3 3 January Term 1880
3 The Defendant in this case suggests to the Court here that he believes he cannot have a fair and impartial trial in this Court, and prays the Court to order and direct the removal of the records of proceedings in his case to the Court of some adjoining Circuit for trial
R. D. Morrison

Attorney for defendant
On this 20th day of February A.D. 1880, appears in open Court here George Reuling the defendant in the above case and makes oath on the Holy Evangel of Almighty God, that the matters and things contained in the above suggestion are true to the best of his knowledge & belief.

N. C. Robertson

Clerk Baltimore City Court
Ordered by the Court this 20th day of February 1880 that the record of proceedings in the above case be transmitted to the Circuit Court for Howard County for trial

Henry F. Garey

And the same is transmitted accordingly
Test. N. C. Robertson clerk



State of Maryland,

City of Baltimore, Set:

I, N. C. Robertson Clerk of the Baltimore City Court,
Do Hereby Certify, that the foregoing is a full, true and entire
transcript, taken from the record and proceedings of the said Court in the
therein entitled cause.

In Testimony Whereof, I herewith set my hand and
affix the Seal of the Baltimore City Court
aforesaid, on this Twenty Third
day of February eighteen hundred
and twenty Eight

N. C. Robertson
Clerk

Pltff Costs \$ 9.20
Defts " \$ 6.60 pd by deft
Record " \$ 6.50 " " "

146

William Ruths

— vs —

George Reuling

Att. Plew of Hon. Court. & view joined.



Filed 26th Feb 1880

169/10/3