

William North } Reasons of Demurrer in the Writ of Habeas
ad } according to the Statute of Demurrer
Simon Wilmer }

Saith

Imp^r: A Writ of Habeas is a Judicial Writ and in all
plaints pleas &c. they ought to carry and board with them
the true mark of what they are and this hath no other
than of a Meas^r of Proof

2^d Day A Writ of Habeas ought to containe in it absolute Matter
of Substant and command therein to be given to the Sheriff
that he make knowne to the party and that by good and
lawfull men of his Bailiwick what he do and appear &c.
But this Writ itt contains in it no Matter of Substant but
command the Sheriff to summe the party when there is no
Substant or forme in Writ of Habeas and no person can be
bound in Law to Answer to a Writ of Habeas for if soe the Writ
quere of Substant may be brought instead of the Writ quere
non permitit or the Writ Quere dicit in frater minum

3^d Day This Writ saith for 444 Job: Clarke Hood which is bound by un-
certainty the part Marrow of the Law cited part folio 226
and Perkins part 36: 54: 55

4th Day Every Habeas for Clarke Hood or other Minister of the Court
should ought to be filed a doctar with the Writ of Habeas but
in all Habeas to renew a Judgement of Record the Writ is
a sufficient doctar of it selfe because it hath reference
to the Record and to any person there may apply himselfe
to compare the Writ and Record together but for officers
Hood they ought to doctar how and which way they did it
arrived and of what date for if it be not above a Year
and a day then the Habeas will not lie too that a doctar is
absolutely necessary to make every particuler appear
to this Court more cleare & evident without which they
can give no Judgement

5th Day This Habeas is notorious bad by reason the sd. Wm. North is
commanded to appear before the Justices of Kent Court but
doth not express where or in what place soe that the Defendant
cannot tell where to attend which is an Apparent Error the part
Marrow of the Law folio 227 Huglin, 9 and abridg^{mt} p^t 1st tit. Corrupti
Causa folio 476 par 12th