thereof, but shall pay to the said Timothy Seekright lessee as aforesaid, his costs &c. And it is further ruled by the Court here, that if upon the trial of the said issue a verdict shall be given for the said David Elphinston, or if the said Timothy Seekright lessee as aforesaid, shall prosecute his declaration upon any other cause than for the not confessing lease entry, and ouster, as aforesaid, then the said Mary Miller administratrix as aforesaid lessor of the aforesaid Timothy Seekright shall pay costs &c. And thereupon the said Timothy Seekright lessee as aforesaid, by his Attorney aforesaid, declares against the said David Elphinstone in the plea aforesaid, in manner and form following, to wit,

In the General Court for the Western Shore of Maryland, Baltimore County, to wit, David Elphinston late of Baltimore County aforesaid, yeoman was attached to answer unto Timothy Seekright of a plea wherefore with force and arms he entered into all that piece or parcel of ground situate lying and being in Balti=more Town which is contained within the following lines courses and distances, beginning at a post set up in a line running North twenty seven degrees East from Fish Street distance from and parallel with Gay Street and fifty feet from the corner of Fish Street and running thence North twenty seven degrees East parallel with Gay Street twenty five feet then North sixty five degrees thirty minutes West eighty two feet six inches to an Alley then with a straight South twenty seven degrees West twenty five feet then with a straight line to the place of beginning the said piece or parcel of ground being part of the Lotts numbered one hundred and twenty four, one hundred and twenty five, in the plan of the said Town which Mary Miller administratrix of all and singular the goods and chattels rights which were of Ulrick Foulk deceased unadministered by Philip Miller late Administrator of all and singular the

the goods and chattels, rights and credits which were of the said Ulrick Foulk deceased, demised to him the said Timothy for a term of years, which is not yet expired, and ejected him from his said piece or parcel of Ground and premises and other harms to him did to the great damage of the said Timothy and against the peace of the State of Maryland and so forth: And whereupon the said Timothy by Nicho=las Brice his Attorney, complains that whereas the said Mary Miller administratrix of all and singular the goods and chattels rights and credits which were of the said Ulrick Foulk deceased at the time of his death and admi=nistered by the said Philip Miller Late Administrator of all and singular the goods and chattels, rights and credits which were of the said Ulrick Foulk deceased on the first day of July in the year of our Lord one thousand eight hundred and one at the County aforesaid had demised to the said Timothy the piece or parcel of ground aforesaid, with the appurtenances To have and to hold the said piece or parcel of ground with the appurtenances to the said Timothy and his assigns from the thirty first day of January then last into the full end and term of ten years from thence next ensuing and fully to be complete and ended; By virtue of which demise the said Timothy afterwards to wit, on the second day of February in the year aforesaid entered into the said piece or parcel of ground and pre=mises and appurtenances and was thereof possessed and the said Timothy so thereof being possessed the said David afterwards, to wit, on the third February aforesaid in the year aforesaid with force and arms and so forth into the aforesaid piece or parcel of Ground aforesaid, with the appurtenances, which the said Mary Miller to the said Timothy did demise in form aforesaid for the term aforesaid, which is not expired did enter and him the said Timothy from the demised premises aforesaid did eject and other harms to him then and there did; To the great damage of the said Timothy and against the peace of the State of Maryland, whereupon the said Timothy saith he is injured and hath damage

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