heard fully understood and Mature Deliberation thereupon had for that it seems to the Court here that the Law Arising on the Verdict and Premisses afs.d is with the Defendant. It is therefore Considered by the Justices here that the said Benjamin Eafy Lessee of the said Martha Burton take nothing by his Writ afs.d but be in Mercy for his false Clamour &c. And that the said James Anderson go thereof Without Day &c. And it is also Considered that the said James Anderson Recover against the said Martha Barton Lessor of the said Benjamin Eafy the the Sum of

956 lbs Pounds of Tobacco by the Court here unto him on his Absent Adjudged for his Costs and Charges by him about his Defence in this behalf laid out and Expended and that he have thereof his Execution &c. Test R Burdus Clk

B Abraham Holy Lessee of Thomas Airey ..... } Maryland Dorchester County ss

Cy David Peterkin ..... } Be it Remembered That heretofore to wit the 18th day of October Anno Dom 1748 David Peterkin late of Dorchester County Planter was Attached to Answer unto Abraham Holy of a Plea wherefore with force and Arms &c. into all that Tract or Parcel of Plantable Land called Mounseir's Folly lying and being in the County afs.d with the Appurtenances Containing two hundred Acres of Land which Thos.d Airey to him the said Abraham Demised for a Term not yet past he the said David did Enter and him the said Abraham from his Farm afs.d did Eject and other Harms to him the said Abraham did to the great Damage of him the said Abraham and against the Peace of the Right Honourable the Lord Propry that now is &c.

And Whereupon the said Abraham by Stephen Bordley his Attorney Complains that Whereas the afs.d Thomas on the third day of March in the Year of our Lord seventeen hundred and forty Seven at Dorchester County afs.d had Demised unto him the afs.d Abraham the said Premises with the Appurtenances thereunto belonging To have and Occupy the same Premises with the Appurtenances to him the said Abraham and his Assigns from the first day of the afs.d March then last past untill the full End and Term of Fifteen Years then next following fully to be Compleat and Ended By Virtue of which Demise the afs.d Abraham into the Premises with the Appurtenances did Enter and was thereof Possessed and the said Abraham so being thereof Possessed the afs.d David afterwards to wit on the same third Day of March in the Year seventeen hundred and forty Seven afs.d at Dorchester County afs.d with force and Arms &c. into the Premises with the Appurtenances afs.d which the said Thomas to him the said Abraham in form afs.d had Demised for the Term afs.d which is not yet past entered and him the said Abraham from his Farm afs.d did Eject and other Harms to him the said Abraham then and there did to the great Damage of him the said Abraham and against the Peace of the Right Honourable the Lord Propry that now is &c. Whereby the said Abraham saith he is worse and hath Damage to the Value of Three hundred Pounds Current Money of Maryland and therefore he brings Suit &c.

Pledges &c. { John Doe, Rich.d Roe

And the said David Peterkin by Charles Goldsborough his Attorney comes and defends the force and Injury when &c. and enters into the Common Rule And saith that he is not Guilty of the Trespass and Ejectment afs.d in manner and form as the afs.d Abraham Holy Lessee of the said Thomas Airey above against him hath Complained and for Tryal thereof he puts himself upon the Country and the Plaintiff also

Whereupon for Trying the Issue afs.d Command is given to the Sheriff of Dorchester County that he cause to come before the Justices of the Provincial Court at Annapolis the third Tuesday of May next or before the Justices Appointed to take the Assizes in his County if they shall before that time to wit on Monday the tenth day of April next to the County Court House in the said county Twelve good and Lawfull Men of his Bailywick by whom &c. who neither &c. To Recognize &c. Because as well &c.

Afterwards the Process Continued between the Parties afs.d in the Plea afs.d by the Jury being put thereon in Respite here untill the third Tuesday of May next Unless the Justices of his Lordship the Lord Propry to take the Assizes in the said County Assigned on Monday the tenth day of April next to the County Court House in the said County shall come

And now here at this day to wit the said third Tuesday of May being the 16th day of the same Month Anno Dom 1749 comes again into his Lordships Provincial Court as well the said Abraham Holy Lessee of the said Thos.d Airey by his Attorney afs.d as the said David Peterkin by his Attorney afs.d But the Sheriff hath not sent his Writ

Whereupon for Trying the Issue afs.d Command is again given to the Sheriff of Dorchester County that he cause to come before the Justices of the Provincial Court at Annapolis the third Tuesday of October next or before the Justices Appointed to take the Assizes in his County if they shall before that time to wit on Monday the Eleventh Day of September next to the County Court House in the said County come Twelve Good and Lawfull Men of his Bailywick by whom &c. who neither &c. To Recognize &c. Because as well &c.

Afterwards the Process Continued between the Parties afs.d in the Plea afs.d by the Jury being put thereon in Respite here untill the third Tuesday of October next Unless the Justices of his Lordship the Lord Propry to take the Assizes in the said County Assigned on Monday the Eleventh Day of September next to the County Court House in the said County shall come

And now here at this day to wit the said third Tuesday of October being the 17th day of the same Month Anno Dom 1749 comes again into his Lordships Provincial Court as well the said Abraham Holy Lessee of the said Thomas Airey by his Attorney afs.d as the said David Peterkin by his Attorney afs.d But the Sheriff hath not sent his Writ

Nevertheless the said David Peterkin by his Attorney afs.d Relinquishing the Averment above by him Pretended saith that he cannot Deny the Action afs.d so as afs.d

(against)