Ch. Francis Saynthing Lofoo of John Davis Junr. — vs. — Joseph Cooke. — } Maryland ss. Joseph Cooke late of Kent County Planter was attached to answer unto Francis Saynthing of a Plea wherefore with force and Arms &c. into all that Tract or Parcell of Plantation Land called Batchelors Resolution lying and being in the County aforesaid with the Appurtenances containing one thousand acres of Land which John Davis Junr. to him the said Francis demised for a Term of yeares yet to the said Joseph did enter and him the said Francis from his farm aforesaid did eject and other harms to him the said Francis did to the great Damage of him the said Francis and against the Peace of the Right Honorable the Lord Propry that now is &c.

And whereupon the said Francis by Charles Goldsbrough his Attorney Complains that whereas the aforesaid John on the fifth day of February in the year of our Lord fourteen hundred and forty six at Kent County aforesaid had demised unto him the aforesaid Francis the said Premises with the Appurtenances thereunto belonging to have and to Occupy the same Premises with the Appurtenances to him the said Francis and his Assigns from the fourth day of February then last past unto the full end and Term of fifteen years then next following fully to be compleat and ended by virtue of which Demise the aforesaid Francis into the Premises with the Appurtenances did enter and was thereof Possessed and the said Francis so being thereof Possessed the aforesaid Joseph afterwards to wit on the same fifth day of February in the year Seven teen hundred and forty six aforesaid at Kent County aforesaid with force and Arms &c. into the Premises with the Appurtenances aforesaid which the said John to him the said Francis in form aforesaid had Demised for the Term aforesaid which is not yet past entered and him the said Francis from his farm aforesaid did eject and other harms to him the said Francis then and there did to the great Damage of him the said Francis and against the Peace of the Right Honourable the Lord Propry that now is &c. Whereby the said Francis saith that he is the worse and hath Damage to the Value of One thousand Pounds Current Money of Maryland and therefore he brings Suit &c.

Pledges &c. { John Doe & Rich. Roe

And the aforesaid Joseph Cooke by Stephen Bordley his Attorney Comes and Defends the force and Injury when &c. And takes Defence according to his (Protentions)

Protentions as they shall Appear to be laid down on the Return of a Warrant of Resurvey to be Issued in this Cause and enters into the Common rule and Prays leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also

At which said next Court to wit the 10th day of September Anno Domini 1751 Comes again the said Parties Plaintiff and Defendant by their Attorneys aforesaid and the said Defendant by his said Attorney Prays further leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also

At which said next Court to wit the 14th day of April Anno Domini 1752 Comes again the said Parties Plaintiff and Defendant by their Attorneys aforesaid and the said Defendant by his said Attorney Prays further leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also

At which said next Court to wit the 19th day of September Anno Domini 1752 Comes again the said Parties Plaintiff and Defendant by their Attorneys aforesaid and the said Defendant by his said Attorney Prays further leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also

At which said next Court to wit the 10th day of April Anno Domini 1753 Comes again as well the said Francis Saynthing Lofoo of the said John Davis Junr. by his Attorney aforesaid as the said Joseph Cooke by his Attorney aforesaid and the said Joseph Cooke by his said Attorney as before Defends the force and Injury when &c. And says that he is not guilty of the Trespass and Ejectment aforesaid &c. as the aforesaid Francis Saynthing Lofoo of the said John Davis Junr. above against him hath Declared and of this he puts himself upon the Country and the aforesaid Joseph Cooke in like manner.

Whereupon the aforesaid Joseph Cooke by his Attorney aforesaid offers himself ready for Tryal against the aforesaid Francis Saynthing Lofoo of the said John Davis Junr. in the Plea aforesaid But the said Francis Saynthing Lofoo of the said John Davis Junr. all the Solemnly called comes not but makes Default nor does he further Prosecute his Writ aforesaid against the aforesaid Joseph Cooke in the Plea aforesaid.

Therefore it is considered by the Justices here that the said Francis Saynthing Lofoo of the said John Davis Junr. take nothing by his Writ aforesaid against the aforesaid Joseph Cooke in the Plea aforesaid But that he and his Pledges of Prosecuting to wit John Doe and Richard Roe be in mercy &c. And it is also considered that the said Joseph Cooke Recover against the said John Davis Junr. Lofoo of the said Francis Saynthing the Sum of

812 2/5 Pounds of Tobacco by the Court hereunto him on his Account adjudged for his Costs and Charges by him about his Defence in this behalf laid out and expended and

(that)