the lease entry and actual ouster and expulsion of so much of the tenements in the declaration of the said John Denn Lessee as aforesaid, as in the possession of the said William Booke, or his tenants, or of any other person claiming by or under his title, or in default thereof, that Judgment be entered against the now defendant William Denn, the casual Ejector, but that prosecution be stayed against him until he makes default in any of the premises: and it is further ruled by the Court here, with consent of Counsel, that if by reason of such default, the said John Denn Lessee as aforesaid, shall become non suit at the trial, the said William Booke shall take no advantage thereof, but shall pay to the said John Denn Lessee as aforesaid his costs, and so forth. 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 William Booke, or if the said John Dann Lessee as aforesaid, shall not prosecute his declaration upon any other cause than for the not confessing the Lease, entry and ouster as aforesaid, then the said Abraham Curtis David Gardner and Abarella his wife, Michael Gardner Peter Gardner, Rebecca Boss, Hayes Boss and Isaac Boss, Lessors of the said John Denn shall pay costs, and so forth. And thereupon the aforesaid John Dann, Lessee as aforesaid by his Attorney aforesaid declares against the said William Booke, in the plea aforesaid as follows to wit: State of Maryland, Baltimore County ss. William Booke, late of Baltimore County, yeoman, was attached to answer unto John Dann, in a plea, wherefore with force and arms &c. at Baltimore County aforesaid, he entered into all that tract or parcel of plantable land, called Burmans Forrest, lying and being in Baltimore County aforesaid with the appurtenances, which Abraham Curtis, David Gardner and Arabella, his wife, Michael Gardner Peter Gardner, Rebecca Boss, Hayes Boss and Isaac Boss demised to the said John Dann, for a term of years which is not yet expired and ejected him from his said farm, and other wrongs to the said John Dann there did, to the great damage of the the said John Dann, and against the peace Government and dignity of the State &c. And whereupon the said John by John Purviance, his Attorney, complains that the said Abraham Curtis David Gardner and Abarella his wife, Michael Gardner, Peter Gardner, Rebecca Boss, Hayes Boss and Isaac Boss, heretofore, to wit, on the first day of July, in the year

of our Lord one thousand eight hundred and eighteen, at the County aforesaid had demised to the said John Denn all that the said tract or parcel of plantable land, called Burmans Forrest, lying and being in the County aforesaid with the appurtenances: To have and to hold the same to the said John Denn and his assigns from the second day of June, then last past, for and during, fully to be complete and ended; by virtue of which said demise, the said John Dann entered into the said tract or parcel of plantable land, with the appurtenances, and was possessed thereof, and being so possessed thereof the said William Booke, afterwards to wit, on the second day of July, in the year aforesaid, with force and arms, that is to say, with swords Staves and knives, at the County aforesaid entered into the said tract or parcel of plantable land with the appurtenances, which the said Abraham Curtis David Gardner and Abarella, his wife, Michael Gardner, Peter Gardner Rebecca Boss Hayes Boss and Isaac Boss had demised to the said John Denn in manner aforesaid, for the term aforesaid, which is not yet expired and ejected the said John Dann from his said farm, and other wrongs to the said John there and then did, to the great damage of the said John Dann and against the peace, government and dignity of the State &c. Wherefore the said John Dann saith he is injured, and has sustained damage to the value of one thousand dollars, and therefore he brings his suit &c.

Jno. Purviance, Plaintiffs Attorney

And thereupon the said John Denn Lessee as aforesaid, by his Attorney aforesaid, prays that the said William Booke to his Declaration aforesaid may answer: And the said William Booke by his Attornies aforesaid, defends the force and injury, when, and so forth and prays leave of the Court here to imparle until the third monday of September next, and then to ascertain his defence, and answer to the Declaration aforesaid, of the said John Denn Lessee as aforesaid in the plea aforesaid, and to him it is granted the same day is given to the said John Denn, Lessee as aforesaid, then and so forth. at which said third monday of September, to wit, in the year of our Lord, one thousand eight hundred and nineteen, until which day the said William Booke had leave to imparle, and then to ascertain his defence, and answer to the Declaration aforesaid, of the said John Dann, Lessee as aforesaid, in the plea aforesaid, comes again into the County Court here as well the said John Denn Lessee as aforesaid by his Attorney aforesaid