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State of Maryland Montgomery County Sct. Richard Penn late of Montgomery County planter was attached to answer unto John Denn in a plea wherefore with force and arms &c. at Montgomery County aforesaid he entered into all that tract or parcel of plantable land called Log Hill lying and being in Montgomery County aforesaid containing seven hundred acres with the appurtenances which Josiah Beale demised to the said John for a term of years which is not yet expired and ejected him from his said farm and other wrongs to the said John there did to the great damage of the said John and against the peace government and dignity of the said State &c. And whereupon the said John by William Pinkney and Key his attornies complains that the said Josiah Beale heretofore to wit on the first day of January in the year of our Lord one thousand eight hundred and fifteen at Montgomery County aforesaid had demised to the said John all that said tract or parcel of plantable land called Log Hill lying and being in the said County containing seven hundred acres of land with the appurtenances To Have and To Hold the same to the said John and his assigns from the thirty first day of December then last past for and during and unto the full end and term of fifteen years from thence next ensuing and fully to be complete and ended by virtue of which demise the said John entered into the said tract or parcel of plantable land with the appurtenances and was possessed thereof and being so possessed thereof the said Richard afterwards to wit on the said first day of January in the year eighteen hundred and fifteen 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 Josiah had demised to the said John in manner aforesaid for the term aforesaid which is not yet expired and ejected the said John from his said farm and other wrongs to the said John then and there did to the great damage of the said John and against the peace government and dignity of the said State Wherefore the said John saith he is injured and hath sustained damage to the value of ten thousand dollars and therefore he brings suit and so forth.

Pinkney & Key attys for plff.

Thereupon on motion of the said William Holmes by his attorney aforesaid leave is given by the Court here to the said William Holmes to ascertain his defence and answer to the declaration aforesaid of the said John Denn lessee as aforesaid in the plea aforesaid until the second monday of

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November next the same day is given to the said John Denn lessee as aforesaid &c.

At which said second monday of November being the eighth day of the same month anno Domini one thousand eight hundred and nineteen till which day the said William Holmes had leave to ascertain his defence and answer to the declaration aforesaid of the said John Denn in the plea aforesaid come again into Court here as well the said John Denn lessee as aforesaid by his attorney aforesaid as the said William Holmes by his attorney aforesaid and the said William Holmes by his attorney aforesaid defends the force and injury when and so forth and takes defence on warrant and his title to the lands and premises mentioned in the declaration aforesaid of the said John Denn lessee as aforesaid and says that he is not guilty of the trespass and ejectment aforesaid in the said declaration mentioned in manner and form as the said John Denn lessee as aforesaid above against him complains and of this he puts himself upon the country and the said John Denn lessee as aforesaid in like manner &c. Thereupon the said William Holmes by his attorney aforesaid prays leave of the Court here to imparle until the first monday of March next following and he hath it the same day is given to the said John Denn lessee as aforesaid also.

At which said first monday of March being the sixth day of the said month anno Domini one thousand eight hundred and twenty come again into Court here as well the said John Denn lessee as aforesaid by his attorney aforesaid as the said William Holmes by his attornies aforesaid. Whereupon the parties aforesaid by their attornies aforesaid pray leave of the Court here to amend and add until the second monday of November next following and it is granted them. Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their attornies and by order of the Court here thereon is continued until the second monday of November next following.

And now here to wit the second monday of November anno Domini one thousand eight hundred and twenty come again into Court here as well the said John Denn lessee as aforesaid as the said William Holmes by their attornies aforesaid. And the said William Holmes by his attornies aforesaid saith that he cannot deny the action aforesaid of the said John Denn lessee as aforesaid nor but that he the said William Holmes is guilty of the trespass and ejectment aforesaid in manner and form as the said John Denn lessee as aforesaid hath above thereof complained against him yet the said William Holmes further saith that this confession is by him made subject to the opinion of the Court here upon the following statement of facts to wit:

Josiah Beall's lessee
vs
William Holmes

Ejectment. It is admitted that James Beale of Prince George's County departed this life some time in the year seventeen hundred and twenty five having first duly executed his last will and testament which is in the words and figures following