aforesaid by his attornies aforesaid as the said David Lynn by his attornies aforesaid and pray leave of the Court here to amend the plots and certificates returned by the Sheriff and Surveyor of Allegany County to the Court here in this cause and to add thereto if necessary by the third monday of November next and to them it is granted and the same are delivered to the Sheriff and Surveyor aforesaid for that purpose thereupon further process of and upon the premises aforesaid by order of the Court here thereon is further continued until the third monday of November next.

And now at this present term to wit the third monday of November being the fifteenth day of the same month in the year of our Lord Eighteen hundred and nineteen comes again into Court here as well the said John Doe lessee as aforesaid as the said David Lynn by their attornies aforesaid as the said Sheriff and surveyor of the County aforesaid to whom the said plots & certificates had been directed make return thereof to the Court here as amended and thereupon the said David Lynn by his attornies aforesaid files in Court here the following defence to wit.

In this case the defendant takes defence for all the land included within the lines of a tract of land called Georges Adventure as located upon the plots in this case not within the lines of Walnut bottom as laid down by the defendant. Also for all the land included within the lines of a tract of land called Broken Meandes resurveyed as located upon the plots in this cause as comprehended within the deed from Thomas Beall of Samuel to William McMahon dated the seventh day of November in the year seventeen hundred and ninty five and the deed from Thomas Beall of Samuel to David Lynn dated the fifth day of June eighteen hundred and thirteen and for all the land located upon the plots as the possession of the Defendant

Roger Perry Upton Lawrence Attornies for Defendant

And thereupon on motion of the said John Doe lessee as aforesaid by his attornies aforesaid it is ruled by the Court here that the said Richard Roe the casual ejector the tenant in possession or those under whom they claim to the declaration aforesaid may answer as to all the land therein mentioned for which no defence is taken on the plots returned in this cause but the said Richard Roe or the said David Lynn nor any other person or persons whatever appear to the declaration aforesaid nor in any manner make answer thereto as to the land aforesaid but make default therefore it is considered by the Court here that the said John Doe lessee as aforesaid recover against the said Richard Roe his term aforesaid yet to come and not expired of in and to all the land in the declaration aforesaid mentioned for which no defence hath been taken on the plots returned in this cause

with the appurtenances and that the said John Doe lessee as aforesaid have thereof his possession against the said Richard Roe. Whereupon for trying the issue aforesaid between the parties aforesaid within joined it is ordered by the Court here that twenty persons from the pannel of petit jurors returned to the Court here by the Sheriff of Washington County aforesaid be drawn by ballot according to the act of assembly in such case made and provided and thereupon the twenty persons being so drawn by ballot and written upon two lists one of which said lists is delivered to the counsel for the respective parties and the counsel of each of them having stricken out four persons from the said lists thereupon the remaining twelve persons being called come that is to say John Reynolds, Michael Smith, John Hedrick, Theodore Miles, Ignatius Dorsey, William Dellahunt, Jeremiah Mason, John Ragan, John McClain, John Barr, Archibald Ritchie, Frederick Fishaugh who being empannelled and sworn to say the truth in the premises upon their oath do say that the said David Lynn is not guilty of the trespass and ejectment aforesaid in manner and form aforesaid as the said John Doe lessee as aforesaid within against him hath complained. Therefore it is considered by the Court here that the said John Doe lessee as aforesaid take nothing by his declaration aforesaid but be in mercy for his false clamour thereupon and that the said David Lynn go thereof without day and &c. and it is further considered by the Court here that the said David Lynn recover against the said John Doe lessee as aforesaid the sum of one hundred and forty nine dollars sixty four and one third cents by the Court here on his agreement adjudged unto the said David Lynn 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.

Memorandum Before the Jurors aforesaid withdrew from the bar of the Court here the said John Doe lessee as aforesaid filed in Court here the following bills of exceptions to wit.

Thomas Beall of Samuel
Lessee
vs
No 1
David Lynn

Ejectment in Washington County Court.

At the trial of this cause the plaintiff offered and red in evidence to the jury the plots and explanations returned in this cause and offered evidence that the locations thereon by him made are truly made. The Defendant then offered and red in evidence to the jury the plots and explanations in this cause and that the locations thereon by him made are truly made. The plaintiff then offered and read in evidence to the jury the following grant for the tract of land called Walnut Bottom located on the plots.

George Masons Patent 500 acres Walnut Bottom

Frederick &c. Know ye that whereas Thomas Bladen Esquire had on the first day of June anno Dominie seventeen hundred and forty five surveyed