June Term 1826

to the said Richard Roe lipes as aforesaid his cost 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 Philip Moore or
if the said Richard Roe lipes as aforesaid shall not prosecute his
declaration upon any other cause than for the not confirming the lease
entry and ouster as aforesaid then the said Henry W Rogers Samuel
I Donaldson and Thomas L Emory junior lipes of the said Richard
Roe shall pay cost and so forth. And thereupon the aforesaid Richard
Roe lipes as aforesaid by his attorneis aforesaid declares against the
said Philip Moore in the plea aforesaid as follows to wit:
State of Maryland Baltimore County ss

Philip Moore late of Baltimore County yeoman was attached
to answer unto Richard Roe of a plea wherefore with force and arms
at Baltimore County aforesaid he entered into all that tract or parcel
of plantable land called Orange lying and being in the County
aforesaid containing two thousand acres with the appurtenances
which Henry W Rogers Samuel Johnston Donaldson and Thomas
L Emory junior demised to the said Richard for a term which
is not yet expired and ejected him from his said farm and
other wrongs to the said Richard there did to the great damage
of the said Richard and against the peace government and
dignity of the State &c: And whereupon the said Richard Roe
by Robert Goodloe Harper his attorney complains that the said
Henry W Rogers Samuel Johnston Donaldson and Thomas L Emory jr
heretofore to wit on the first day of January in the year eighteen
hundred and seventeen at Baltimore County aforesaid had demised
to the said Richard all that the aforesaid tract or parcel of plantable
land called Orange lying and being in the County aforesaid
containing two thousand acres with the appurtenances. To have
and to hold the same to the said Richard and his assigns from
the thirty first day of December then last past for and during
and unto the full end and term of twenty years from thence next
ensuing and fully to be complete and ended by virtue of which
demise the said Richard entered into the said tract or parcel
of land with the appurtenances and was thereof possessed and
being so possessed thereof the said Philip Moore afterwards to wit
on the said first day of January in the year eighteen hundred and
seventeen aforesaid with force and arms that is to say with
guns and clubs at the County aforesaid entered into the said

June Term 1826

tract or parcel of land with the appurtenances which the said Rogers Donaldson
and Emory had demised to the said Richard in manner aforesaid for the term
aforesaid which is not yet expired and ejected the said Richard from his said
farm and other wrongs to him then and there did to the great damage of the
said Richard and against the peace government and dignity of the State &c:
wherefore the said Richard saith he is injured and hath sustained damage to the
value of ten thousand dollars current money and therefore he brings his suit &c:
R G Harper atty for Pltff.

And thereupon on motion of the said Philip Moore by his attorneis
aforesaid leave is given by the Court here to the said Philip Moore to
ascertain his defence and answer to the declaration aforesaid of the said
Richard Roe lipes as aforesaid in the plea aforesaid until the third monday
of September next the same day is given to the said Richard Roe lipes as
aforesaid and so forth.

At which said third monday of September to wit in the year of our
Lord one thousand eight hundred and eighteen until which day the said
Philip Moore had leave to ascertain his defence and answer to the declaration
aforesaid of the said Richard Roe lipes as aforesaid in the plea aforesaid
comes again into the County Court here as unto the said Richard Roe
lipes as aforesaid by Robert Goodloe Harper Thomas Kell and Henry
H Patilo his attorneis as the said Philip Moore by his attorneis aforesaid
and the said Philip Moore by his said attorneis defends the force and
injury when and so forth and takes defence according to his pretensions
as they shall appear to be laid down on the return of a warrant of
resurvey to be issued in this cause and says that he is not guilty of the
trespass and ejectment aforesaid in the declaration aforesaid mentioned in
manner and form as the said Richard Roe lipes as aforesaid above
complains against him and of this he puts himself upon the Country
and the said Richard Roe lipes as aforesaid in like manner &c: so forth.
And thereupon on motion of the said Richard Roe lipes as aforesaid by his
attorneis aforesaid It is ordered by the Court here that the writ of the State of Maryland
of warrant of resurvey issue in this cause and the same accordingly issues
directed to the Sheriff and surveyor of Baltimore County and returnable on the
fourth monday of March next, the same day is given to the parties aforesaid
then and there and so forth.

At which said fourth monday of March to wit in the year of our
Lord one thousand eight hundred and nineteen being the return day of the
foregoing warrant of resurvey come again into the County Court here the
parties aforesaid by their attorneis aforesaid and the Sheriff and surveyor of the
County aforesaid to whom the said warrant of resurvey was in form aforesaid
directed makes return thereof to Court here with five plots and explanations
thereunto annexed. Whereupon the parties aforesaid by their attorneis aforesaid