of Assembly in such case made and provided and thereupon the twenty persons being drawn by Ballot and written upon two lists, one of which lists is delivered to the Counsel for the respective parties and the Counsel for each of the said parties having stricken out four persons from the said lists, thereupon the remaining twelve persons being called come that is to say. Abraham Barnes, Samuel Dietrich, George Realhofer. Devault Stottlemyer, Lewis Zeigler, Jacob Kreps, Benjamin Leight, Charles Gesletine, George Knode. Peter Suter, Jacob Brosius and Samuel Seyester who being empannelled and sworn; thereupon on motion of the said John Denn lessee as aforesaid by his attorney aforesaid, for leave to withdraw a Juror for the purpose of addding to and amending the plots returned to the Court here in this cause and it appearing to the Court here that the said plots are defective, the said Abraham Barnes one of the Jurors of the Juror above written from the panel aforesaid is withdrawen by the Court here for the purpose of addding to and amending the said plots, and the rest of the Jurors of that Jury, are wholly discharged from giving any verdict of and upon the premises within written; Whereupon on motion of the said Joseph Wheeler by his attorney aforesaid it is ordered by the Court here that the said Joseph Wheeler recover against the said John Denn lessee as aforesaid the sum of twenty Dollars thirty one and two third cents - by the Court here adjudged unto the said Joseph Wheeler, for his costs and charges which he hath sustained laid out and expended in and about his suit in this behalf, since the last continuance of the aforesaid whereupon the parties aforesaid by their attornies aforesaid; pray further leave of the Court here to amend their plots and Certificates returned 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 of the County aforesaid for that purpose; Thereupon further proces of and upon the premises aforesaid between the parties aforesaid by order of the Court here thereon is further continued untill the said third Monday of November next. - At which said third Monday of November, being the seventeenth day of the same month in the year of our Lord one thousand eight hundred and thirty four comes again into Court here as well the said John Denn lessee as aforesaid by his attorney aforesaid as the said Joseph Wheeler by his attorney aforesaid and the Sheriff and Surveyor of the County aforesaid, to whom the said plots and certificates were delivered to be amended, return the same to the Court here as amended; - Whereupon for trying the issue aforesaid within Joined between the parties aforesaid it is ordered by the Court here that twenty persons from panel of petit Jurors returned to the Court here by the Sheriff of Washington County, 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 for each of the said parties having stricken out four persons from the said lists thereupon the remaining twelve being called come; that is to say Samuel Bachtel, John Cushwa Alfred Claggett Richard Murray, Samuel Lamby, John P Stephy Frederick Rohrer Jacob H Grove Nathaniel Swingley James Grimes James D Moore and John Miller who being empanneled and sworn; Thereupon on motion of the said John Denn lessee as aforesaid by his attorney aforesaid, for leave to withdraw a Juror, for the purpose of addding to and amending the plots returned to the Court here in this cause and it appearing and it appearing to the Court here that the said plots are defective the said Samuel Bachtel one of the Jurors of the Jury above written from the panel aforesaid is withdrawn by the Court here for the purpose of addding to and amending the said plots; and the rest of the Jurors of that Jury are wholly discharged from giving any verdict of and upon the premises within written; Whereupon on motion of the said Joseph Wheeler by his attorney aforesaid it is ordered by the Court here that the said Joseph Wheeler recover against the said John Denn lessee as aforesaid the sum of Fifty Seven Dollars and eighty eight cents, by the Court here adjudged unto the said Joseph Wheeler for his costs and charges which he hath sustained laid out and expended in and about his suit in this

behalf since the last continuance of the plea aforesaid; Whereupon the parties aforesaid by their Attornies aforesaid pray further leave of the Court here to amend their plots and certificates returned to the Court here in this cause and to add thereto if necessary by the fourth Monday of March next and to them it is granted and the same are delivered to the Sheriff and Surveyor of the County aforesaid for that purpose; thereupon further proces of and upon the premises aforesaid between the parties aforesaid by order of the Court here thereon is further continued untill the said fourth Monday of March next. - At which said fourth Monday of March being the twenty third day of the same month in the year of our Lord one thousand eight hundred and thirty five comes again into Court here as well the said John Denn lessee as aforesaid by his attorney aforesaid as the said Joseph Wheeler by his attorney aforesaid and the said Sheriff and Surveyor of the County aforesaid; to whom the said plots and certificates were delivered for the purpose of amending or addding thereto if necessary return the same to the Court here as amended; Whereupon for the trying the issue aforesaid between the parties aforesaid within Joined it is ordered by the Court here that twenty persons from the panel of petit Jurors returned to the Court here by the Sheriff of Washington County 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 for each of the said parties having stricken out four persons from the said lists the remaining twelve persons being called come; that is to say William Towson Joseph Yeates David Ridenour William Booth. John Wolfersberger John Robertson Michael Swingley George Shryock George Feidt Norborne B Robinson Jacob Kausler and Michael Isenminger who being empannelled and sworn to say the truth in the premises upon their oath do say that the said Joseph Wheeler is guilty of the Trespass and ejectment aforesaid, for all land within the claim and pretensions of the Plaintiff and for which defence is taken except that part thereof which lies to the East of the lines located on the plots shewing the possession of the Defendant for twenty years and upwards before the bringing of this suit; which said lines are from little Black m. to n. p. r. t. E. a b. M. and 1 Cent Damages; Therefore it is considered by the Court here that the said John Denn lessee as aforesaid recover against the said Joseph Wheeler his Term aforesaid, yet to come and unexpired of in and into all that tract of land aforesaid, by the Jurors aforesaid found and that the said John Denn Lessee as aforesaid have thereof his possession against the said Joseph Wheeler and so forth and it is also considered by the Court here that the said John Denn Lessee as aforesaid recover against the said Joseph Wheeler the sum of Two hundred & twenty three Dollars twenty & one third cents by the Court here unto him on his assent adjudged, for his costs and charges by him about his suit in this behalf laid out and expended; and the said Joseph Wheeler in mercy and so forth. - Memorandum. Before the Jurors aforesaid withdrew from the bar of the Court here the said Joseph Wheeler by his attorney aforesaid filed in Court here the following Bills of Exceptions to wit

Benjamin Emmerts Lessee
vs
Joseph Wheeler

Ejectment in Washington County Court
March Term 1835

The Plaintiff offered in evidence to the Jury one of the Plots and explanations in this cause (here insert them and also a Patent for a tract of land called Blooming Meadows which here follows to wit - The State of Maryland to all persons to whom these presents shall come Greeting Know ye that Whereas John Smith of Washington County on the eighth day of August eighteen hundred and one obtained out of the Western Shore Land office a special Warrant to Resurvey the following Lands lying in the County aforesaid and contiguous to each other, viz part of Strife orginally on the sixteenth day of December seventeen hundred and forty one granted Wm Cheapline for one hundred acres part of the Resurvey on part of Cradle orginally on the twenty fifth day of August seventeen hundred and sixty six

Robert Wright
Wm Kilty Chant