aforesaid was in form aforesaid sent certifies to the Court here the service thereof in form following to wit:

Richard Roe Lessee of James Swan vs. John Doe with notice to Abraham Moon tenant in possession.	In Allegany County Court April Term 1838 Ejectt. Par. and Notice. Par and notice delivered tenant in possession April 7th 1838. Thomas Gowden Shff.

Whereupon the said Richard Roe lessee as aforesaid by his attorney aforesaid prays that the said Abraham Moon the defendant and tenant in possession of the said premises or those under whom he claims to the declaration aforesaid may appear and thereupon the said Abraham Moon by James Smith and William Price his Esquirs his attornies in pursuance of the notice aforesaid comes into Court here, whereupon it is ruled by the Court here with the consent of the said Richard Roe lessee as aforesaid by his attorney aforesaid that the said Abraham Moon be admitted defendant in the place of the now defendant John Doe the casual Ejector and that he immediately receive a declaration and plead thereto the general issue and at the trial thereon to be had the said defendant shall appear in his own proper person or by his attorney or counsel and confess the lease entry and actual ouster and expulsion of so much of the tenements in the declaration of the said Richard Roe lessee as aforesaid as in the possession of the said defendant or his tenants or of any other person claiming by or under his title or in default thereof Judgment be entered against the now defendant, and it is further ruled by the Court here with consent of counsel that if by reason of such default the said Richard Roe lessee as aforesaid shall become non suit at the trial the said defendant shall take no advantage thereof but shall pay to the said Richard Roe lessee as aforesaid his costs &c. 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 defendant or if the said Richard Roe, lessee as aforesaid shall not prosecute his declaration upon any other cause than for the not confessing lease entry and ouster as aforesaid then the said Richard Roe lessee as aforesaid shall pay costs &c. And thereupon the said Richard Roe, lessee as aforesaid by his attorney aforesaid declares against the defendant in the plea aforesaid as follows to wit.

State of Maryland Allegany County to wit. Abraham Moon late of Allegany County yeoman was attached to answer unto Richard Roe in a plea wherefore with force and arms &c. at the County aforesaid he entered into all that tract or parcel of plantable land called "The Plains" lying and being in the County aforesaid containing seven hundred and twenty five acres with the appurtenances which James Swan demised to the said Richard for a term of years which is not yet expired and ejected him from his said farm and other wrongs to the said Richard did there to the great damage of the said Richard and against the peace government and dignity of the State &c. And whereupon the said Richard by Thomas Perry his attorney complains that the said James Swan heretofore to wit on the second day of January in the year 1836 at the County aforesaid had demised to the said Richard all that the said tract or parcel of plantable land called "The Plains" lying and being in the County aforesaid containing seven hundred and twenty five acres with the appurtenances to have and to hold the same to the said Richard and his assigns from the first day of January 1836 then 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 said demise the said Richard entered into the said tract or parcel of plantable land with the appurtenances and was possessed thereof and being so possessed

thereof the said Abraham afterwards to wit, on the said day and year first aforesaid with force and arms that is to say with sticks and staves at the County aforesaid entered into the said tract or parcel of plantable land with the appurtenances which the said James Swan had demised to the said Richard in manner aforesaid for the term aforesaid which is not yet expired and ejected him the said Richard from his said farm and other wrongs to the said Richard then and there did to the great damage of the said Richard and against the peace government and dignity of the State and so forth. Wherefore the said Richard saith he is injured and hath sustained damage to the value of five thousand dollars and therefore he brings suit &c. For Plaintiff

Thomas Perry.

And the said defendant by his said attornies takes his defence in the plea aforesaid upon his title to lot number three hundred and eighty seven and pleads guilty as to all other lands and premises in the declaration of the said Richard Roe lessee as aforesaid mentioned and described. Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties by their attornies aforesaid and by order of the Court here thereon is further continued until the second Monday of October next. At which said second Monday of October being the eighth day of the same month in the year of our Lord one thousand eight hundred and thirty eight comes again into the Court here as well the said Richard Roe, lessee as aforesaid as the said Abraham Moon by their attornies aforesaid and thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties by their attornies aforesaid and by order of the Court here thereon is further continued until the third Monday of April next. At which said third Monday of April being the fifteenth day of the same month in the year of our Lord one thousand eight hundred and thirty nine comes again into Court here the parties aforesaid by their attornies aforesaid. Whereupon for trying the issues aforesaid above joined between the parties aforesaid 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 the County aforesaid be drawn by ballot according to the directions of 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 persons being called, come that is to say Daniel Wolford Henry A. Shaw, Thomas Larkin, Jacob Reel, Stephens A. Grass, John Bloche, Baptist Mattingly, Lewis Davidson, John S. Hoffman, Peter Gephart, John Lerew, and Stephens B. Beall who being empannelled and sworn to say the truth in the premises upon their oaths do say that the said Abraham Moon is guilty of the trespass and ejectment aforesaid in manner and form as the said Richard Roe lessee of the said James Swan within complains against him and they assess the damages of the said Richard Roe, lessee of the said James Swan by occasion of the trespass and ejectment aforesaid to the sum of one cent current money. Therefore it is considered by the Court here, that the said Richard Roe, lessee as aforesaid recover against the said Abraham Moon his term yet to come and unexpired of in and unto all that tract or parcel of plantable land called "The Plains" lying and being in the County aforesaid containing seven hundred and twenty five acres, so as aforesaid by the Jurors aforesaid found and the said sum of one cent by the Jurors aforesaid in form aforesaid assessed for his damages which he hath sustained by occasion of the trespass and ejectment aforesaid, and that the