was directed, in pursuance of said warrant make return to the Court here of five plats and explanations - Thereupon further process of and upon the premises aforesaid, between the parties aforesaid by consent of the said parties, and their attorneys aforesaid and by order of the Court here thereon is continued until the first day of January next. At which said first day of January to wit, in the year of our Lord, one thousand eight hundred and thirty nine, come again into the County Court here, the parties aforesaid by their attorneys aforesaid - Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their attorneys aforesaid, and by order of the Court here thereon is continued until the first day of May next - At which said first day of May to wit, in the year last aforesaid, come again into the County Court here the parties aforesaid by their attorneys aforesaid - Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties, and their attorneys aforesaid, and by order of the Court here thereon is continued until the second day of September next - And now here, at this day, the said second day of September to wit, in the year last aforesaid, comes again into the County Court here as well the said Simon Peaceable Lessee as aforesaid by Robert McMartin John Nelson George M. Nabband Grafton D. Mulaney Esquires his attorneys as the said defendants by Reverdy Johnson Jonathan Meredith and John Glenn, Esquires their attorneys - And thereupon on motion of the defendants aforesaid, by their attorneys aforesaid it is ruled by the Court here that the said Charles R. Horne, the Lessor of the plaintiff in this cause give security for all costs and charges that the defendants may be put to in case the said Simon Peaceable Lessee as aforesaid of said Charles R. Horne shall be non suited or judgment be given against him in the plea aforesaid or in default thereof, that judgment of Non suit by the Court here will be entered against him - Whereupon come into Court here, Charles R. Barney and Stephen T. Thompson of the County aforesaid, in their proper persons and who by the Court here are considered good and sufficient and undertake jointly and severally for the said Charles R. Horne, that if the said Simon Peaceable Lessee as aforesaid in the plea aforesaid shall be non suited or judgment therein be given against him, then the said Charles R. Horne shall pay unto the said defendants all such costs and charges by them about their defence in this behalf sustained, as shall be adjudged unto the said defendants by the Court here or that they the said Charles R. Barney and Stephen T. Thompson will do the same for him - And thereupon the defendants aforesaid by their attorneys aforesaid file in Court here in said cause the following defence to wit:-

"Horne's Lessee vs. Holt and others - Eject. - Balt. County Court - The defts. in this case take defence for all the land as located on the plats, which lies between the following limits as therein designated being the Defts. location No. 1, that is to say: Beginning at A. and running thence to 1, 2, 3, 4, 5, 6, 7, and thence to H. then with the black lines shaded red, to I. J. H. G. S. F. and home to A.

J. Meredith, R. Johnson, Defts. attys."

Whereupon for trying the issue between the parties aforesaid above joined it is ordered by the Court here, that twenty persons from the panel of Jurors returned to the Court here by the Sheriff of Baltimore 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 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 Robert R. Richardson John G. Wilcox George Maris, James Gibson Daniel Metzgar William Hooper, James Frazier, George Chapman Christian A. Schaeffer Wills Chase, Robert B. Varden and John W. Chaney who being empannelled and sworn to say the truth in the premises upon their oath do say that the said defendants are not guilty of the trespass and ejectment aforesaid in manner and form as the said Simon Peaceable, lessee as aforesaid hath above thereof complained against them - Therefore it is considered by the Court here, that the said Simon Peaceably, lessee as aforesaid take nothing by his declaration aforesaid against the said defendants but that he be in mercy for his false complaint against the said defendant and that the said defendants go thereof without day, and so forth - It is also considered by the Court here that the said Roswell L. Holt and Margaret Holt his wife Robert McGibbes and Emily Gibbes his wife, Charles Oliver and Thomas Oliver recover against the said Charles R. Horne Lessor of the said Simon Peaceable the sum of one hundred and twenty five dollars fifty eight and a third cents by the Court here unto the said defendants on their assent adjudged for their costs and charges by them about their defence in this behalf expended and that they have thereof their execution against the said Charles R. Horne and so forth. - Memorandum - Before the Jurors aforesaid withdrew from the bar of the Court here the said Simon Peaceable, Lessee as aforesaid by his attorneys aforesaid filed in Court here in said cause the following bill of exceptions to wit:

'Charles R. Horne's Lessee
vs.
Roswell L. Holt and others.

The plaintiff to support the issue on his part offered in evidence the following Patent for the tract of land called Timber Neck granted to Charles Ridgely, on the 18th. March 1746. which is located on the platts in this cause - "Maryland Set: Charles Absolute Lord and proprietary of the Province of Maryland and Avalon Lord Baron of Baltimore &c. To all persons to whom these presents shall come greeting in our Lord God Everlasting: Know ye that whereas Charles Ridgely of Baltimore County by his humble petition to our agent for management of land affairs within this province did set forth that he was seized in fee simple of and in the following tract or parcel of land lying and being in Baltimore County called Timber Neck originally on the twentieth of June sixteen hundred and sixty eight granted unto John Howard for two hundred acres under old rent, which by sundry mean conveyances, alienations and mutations of possession was become the right of the petitioner, who by inspecting the bounds apprehended part thereof might lay in navigable water and elder surveys and that some vacant land might be thereto contiguous; he, therefore prayed a special warrant to exclude elder surveys and navigable water and add the contiguous vacancy and that on return of a certificate of such resurvey he complying with all requisites our grant of confirmation might issue unto him thereon which was granted him and accordingly a warrant on the first day of October seventeen hundred and forty four unto him for that purpose did issue - In pursuance whereof it is certified unto our Land Office, that the aforesaid

Saml. Ogle Lessee