and James R. Purnell and Mary his Wife had leave to assert their defence and
answer to the Declaration aforesaid of the said John Dunn Lessee as aforesaid in the plea
aforesaid came again into the County Court here as well the said John Dunn Lessee as af-
by his Attorney aforesaid, as the said John Richardson and Louisa his Wife and James R.
Purnell & Mary his Wife by their Attorneys aforesaid, and the said John Dunn Lessee as
aforesaid by his said Attorney suggests to the Court here, that William Hates one of the
Lessors of the plaintiff after the last continuance of the plea aforesaid departed this life &
which the said John Richardson and Louisa his Wife and James R. Purnell & Mary
his Wife do not deny; And the said John Richardson and Louisa his Wife & James
R. Purnell and Mary his Wife by their Attorneys aforesaid defend the force & injury
when and so forth and take their defence of and upon the premises in question upon
their side thereto and say that they are not guilty of the Trespass and ejectment in the
said declaration mentioned in manner and form as the said John Dunn Lessee as
aforesaid above complains against them, and of this they put themselves upon the country
and so forth. And the said John Dunn Lessee as aforesaid in like manner &c. for
therefore let a Jury thereupon appear before the Court here immediately by whom &c
and who neither &c to recognize &c because as well &c and thereupon for trying the
issue aforesaid it is ordered by the Court here that twenty persons from the panel of petit
jurors 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 &
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 forth John
Williams Handy Mills, George Smith, Jonathan Hobbs, James Powell, Jeptha
Morris, Allen D. Kellam, Robert Gibson, James Pitts, Benjamin Nelson, Benjamin
Livingston and Samuel Tubbs, who being empannelled & sworn to say the truth in
the premises upon their oath do say, that the said John Richardson and Louisa his
wife and James R. Purnell and Mary his Wife are not guilty of the Trespass
and Ejectment aforesaid, as the aforesaid John Richardson and Louisa his and James
R. Purnell & Mary his Wife above by pleading have alleged; therefore it is con-
sidered by the Court here, that the said John Dunn Lessee as aforesaid take nothing
by his declaration aforesaid, but for his false complaint against the said John
Richardson and Louisa his Wife and James R. Purnell and Mary his Wife
be in mercy and so forth, and that the said John Richardson and Louisa his
Wife and James R. Purnell and Mary his Wife go thereof without day &c forth.
And it is further considered by the Court here that the said John Richardson and
Louisa his Wife and James R. Purnell and Mary his Wife recover against the
said John Dunn Lessee as aforesaid the sum of twenty eight dollars twenty three
cents and third cents for their Costs and charges by them laid out and expended
in and about their defence in this behalf sustained to the said John Richardson
and Louisa his Wife and James R. Purnell & Mary his Wife by the said Court
now here adjudged and so forth, and that the said John Richardson and Louisa
his Wife and James R. Purnell and Mary his Wife have execution thereof &c
Memorandum. Before the Jurors aforesaid withdrew from the bar of the Court here
the said John Richardson and Louisa his Wife and James R. Purnell & Mary
his Wife, by their Attorneys aforesaid filed in Court here the following Bills of Exceptions, viz.

Richard Warren & others
Lessors of the Pltff
vs
John Richardson & wife & others Deft

Ejectment. General defence.
It is admitted that Isaac Franklin was seized &
possessed in fee of the land mentioned in the Pltffs declaration
the Pltffs to support their title offered in evidence

to the Jury a Deed from the said Isaac Franklin & Wife to Isaac Warren dated the 2d Sept 1809.
which deed is as follows, to wit. "This Indenture made this second day of September in the
year of our Lord One thousand eight hundred and nine between Isaac Franklin and
his Wife Martha Franklin of Worcester County in the State of Maryland of the one part & Isaac
Warren of the County and State aforesaid of the other part, Witnesseth that the said Isaac Franklin
and his wife Martha for and in consideration of the sum of Eight thousand dollars current
money of the State of Maryland to them in hand paid by the said Isaac Warren before the sealing
and delivery of these presents, the receipt whereof the said Isaac Franklin and Wife Martha
doth hereby acknowledge, and the said Isaac Warren his heirs executors and administrators
therefrom forever discharge, they the said Isaac Franklin and Wife Martha hath granted
bargained sold, aliened, enfeoffed and confirmed, and by these presents doth grant bargain
sell alien enfeoff and confirm unto the said Isaac Warren his heirs and assigns forever,
All that part of a tract of land in Worcester County called White Oak Swamp, bounded &
described as follows. Beginning for this part at a marked Possimmon tree standing sixty
poles on the home line of said tract from thence reversing the said home line South sixty degrees
East one hundred and forty four poles to the end of the last given course or fifth course of
said tract thence reversing the same North forty four degrees East one hundred and two
poles to the beginning of the same and the end of the fourth course of said tract, thence
reversing the fourth course North fifty seven degrees West one hundred and forty four poles, thence
with a line drawn to the first beginning of this part containing and now laid out for one
hundred acres of land, together with all and singular the buildings, rights, liberties privileges
hereditaments and appurtenances thereunto belonging or in any wise appertaining, and
all the estate right title and interest of them the said Isaac Franklin and his Wife whatsoever
of in and to the said land and premises hereby bargained and sold or intended so to be
To Have and To Hold the said land called White Oak Swamp, or whatever named
or names the same may be called together with the buildings and appurtenances
and all and singular other the premises hereby bargained and sold or intended so to be
unto the said Isaac Warren his heirs and assigns forever. And the said Isaac Franklin &
Martha his Wife for themselves their heirs executors and administrators doth hereby
further covenant grant promise and agree to and with the said Isaac Warren his heirs
21. executors administrators and assigns that the said Isaac Franklin and Wife Martha
and their heirs shall and will at all times hereafter when required by said Isaac Warren
and his heirs and assigns at the proper costs of said Warren and his heirs or assigns make
and execute any other deeds or assurances, devises or conveyances in law as said
Warren and his heirs or assigns may or shall require for the better assuring a good title
to said land and premises, and that they will forever by these presents warrant & defend
the right and title of the same unto the said Warren and his heirs and assigns against
all persons whatever. In Witness whereof they have hereunto set their hands and seals
the date first herein before written. Isaac Franklin (Seal) Martha Franklin (Seal)
Signed sealed & delivered in presence of Jacob Dale Thos N. Williams
State of Maryland Worcester County ss: On this second day of September in the year
of our Lord One thousand eight hundred and nine personally appears Isaac Frank-
lin & Martha his Wife of Worcester County in Maryland, party Grantors within named
before us the Subscribers two Justices of the peace in and for said County, & acknowledges
the within deed or Instrument of writing to be their act and deed, and the land & premises
therein mentioned and thereby bargained and sold to the estate right and title of the
within named Isaac Warren, party Grantee his heirs and assigns forever, according to the