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And whereupon the said plaintiff by William P. Maulsby their attorney com-
plain that the said defendant heretofore to wit, on the first day of January eighteen
hundred and forty six and at divers days and times between that day and the twentieth
day of August eighteen hundred and forty seven with force and arms, at the county
aforesaid broke and entered the close of the said Lucy called "Browns first attempt"
situate lying and being in said County, and the timber trees and other trees of
the said Lucy then and there growing and found to wit: Two hundred
hickory trees of the value of Two hundred dollars, two hundred oak
trees of the value of Two hundred dollars, and one hundred Chestnut
trees of the value of one hundred dollars, cut down took and carried
away and other wrongs to the said Plaintiffs then and there did to the
great damage of the said Plaintiffs, and against the peace government
and dignity of the State of Maryland wherefore the said plaintiffs
say they are the worse and have damage to the value of one thousand
dollars and therefore they bring suit and so forth.

Wm. P. Maulsby atty for Plffs.

A Copy of which said declaration was made out and sent with
the writ thereon endorsed "To be served on the defendants with the
writ. At which said first Monday in September (being the
eighth day of the same month in the year of our Lord one thousand Eight
hundred and forty seven and the return day of the aforegoing writ)
comes into Court here the said William Houck and Lucy his wife
by their attorney aforesaid and and the Sheriff of the County afore-
said to wit, Lewis Trumbo, Esquire, to whom the said writ
was in form aforesaid directed, makes return thereof to the County
Court here thereon endorsed to — "Cepi" "Copy left." Lewis
Trumbo. Sheriff."

And the said Sheriff although solemnly
called upon by order of the Court here, on motion of the said William
Houck and Lucy his wife by their attorney aforesaid to bring into Court
here the body of the said Greenberry Loveall whom he ought to have here
this day in pursuance of the command of the said writ and the tenor of
his return thereof as aforesaid, brings him not in, but therein doth
make default. Whereupon on motion of the said William
Houck and Lucy his wife by their attorney aforesaid, it is ordered by
the Court here that the said Sheriff be amerced, forfeit and pay
the sum of ond dollar in case he hath not the body of the said Green-
berry Loveall before the Court here on the first Monday of April
next. next. Thereupon, in compliance with the rule aforesaid
and to save the amerciament aforesaid the Sheriff aforesaid brings
into Court here the body of the said Greenberry Loveall, who being
called appears in Court here by Joseph M. Palmer Esquire his
attorney. Whereupon it is ordered by the Court here that the
rule and amerciaments aforesaid be discharged and stricken out.

And thereupon the said William Houck and Lucy his wife
by their attorney aforesaid, prays that the said Greenberry Lo-
well may answer to the declaration of them the said William
Houck and Lucy his wife in the plea aforesaid.

Whereupon it is ruled by the Court here that the said
Greenberry Loveall answer to the declaration of the said William
Houck and Lucy his wife in the plea aforesaid, and if the said Green-

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berry Loveall doth not answer to the declaration of the said William Houck
and Lucy his wife in the plea aforesaid, judgment will be rendered against —
by default. And the said Greenberry Loveall by his attorney aforesaid defends
the force and injury when &c. and says that he is not guilty of the said supposed
trespasses above laid to his charge or either of them or any part thereof in man-
ner and form as the said plaintiffs hath above thereof complained against
him, and of this he said defendant puts himself upon the country for
trial. And for a further plea in this behalf as to the said supposed
Trespasses in the plaintiffs declaration mentioned the said defendant
begs leave of the Court here for this purpose first had and obtained, acco-
rding to the form of the statute in that case made and provided saith
that the said plaintiffs ought not to have or maintain his aforesaid
action thereof against him because he saith that he the said defendt.
was not guilty of the said several supposed trespasses, in the said
declaration mentioned or of any or either of them or of any part thereof
in manner and form as the said plaintiffs have in their declaration
thereof complained against him at any time within three years, next
before the commencement of this suit. And this the said defendant
is ready to verify, wherefore he prays judgment of the plaintiffs ought
to have or maintain their aforesaid action thereof against him &c.

Jos. M. Palmer atty for Defendant

And thereupon the said Greenberry Loveall by his said attorneys prays that the
said William Houck and Lucy his wife may reply to the plea of the said Greenberry
Loveall in the action aforesaid: Whereupon it is ruled by the Court here that the
said William Houck and Lucy his wife reply to the plea of the said Greenberry
Loveall in the action aforesaid, or judgment will be rendered against him by
default. 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 Monday in April next.

At which said first Monday in April it being the third
day of the same month in the year of our Lord Eighteen hundred and forty
Eight, comes again into Court here, as well the said William Houck and
Lucy his wife as the said Greenberry Loveall by their attorney aforesaid.

And the said Greenberry Loveall for further plea by his atto-
rney aforesaid, takes defence (on Warrant) according to his pretension
as they shall appear to be laid down on the return of a warrant of
resurvey to be issued in this cause.

Whereupon further process of and upon the premises aforesaid
between the parties aforesaid by consent of the said parties and their atto-
neys aforesaid, and by order of the Court here thereon, is further continued
until the first Monday in September next.

At which said first Monday in September, it being the
fourth day of the same month in the year of our Lord one thousand Eight
hundred and Forty Eight, comes again into Court here, as well the said
William Houck and Lucy his wife, as the said Greenberry Loveall
by their attorneys aforesaid.

And the aforesaid William Houck and Lucy his wife by
their attorney aforesaid saith that the said Plaintiffs as to the
plea of the said Defendant first above pleaded do the like — and