hundred acres with the appurtenances and that he have possession against the said Richard Fenn and so forth – Whereupon the said John Denn lessee of Joseph W. Brown, Virginia Brown, George H. Mattingly and Mary M. his wife, by George W. Morgan his Attorney aforesaid, and Henry Ellis the tenant in possession of the said premises by William J. Blackistone his Attorney Consent that the judgment aforesaid be stricken out, and that the said Henry Ellis the tenant in possession as aforesaid may appear and thereupon the said Henry Ellis by William J. Blackistone his Attorney in pursuance of the motion aforesaid Comes into Court here with the Consent of the said John Denn lessee as aforesaid by his Attorney aforesaid, and the said Henry Ellis who claims the title in question by his Attorney aforesaid – that the said Henry Ellis be admitted defendant in the place of the now defendant Richard Fenn the Casual ejector and that he immediately receive a declaration and plead thereto the general issue, and that the trial thereon to be had the said Henry Ellis shall appear in his proper person or by Attorney and confess the lease entry and actual ouster & expulsion of so much of the tenements in the declaration of the said John Denn lessee as aforesaid as is in the possession of the said Henry Ellis, or his tenant or of any other person claiming by or under his title, or in default thereof, that judgment be entered against the now defendant Richard Fenn the Casual ejector, but that prosecution be staid against him, until he makes default in any of the premises; and it is further ruled by the Court here, with the Consent of Counsel that if by reason of such default the said John Denn lessee as aforesaid shall become non suit at the trial the said Henry Ellis shall take no advantage, but shall pay to the said John Denn 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 Henry Ellis, or if the said John Denn 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 Joseph W. Brown, Virginia Brown, George H. Mattingly and Mary M. his wife lessee of the aforesaid John Denn, shall pay costs and so forth, and thereupon the aforesaid John Denn lessee as aforesaid, by his Attorney aforesaid declares against the said Henry Ellis, in the plea aforesaid, in manner and form following to wit:

Western Shore State of Maryland Saint Marys County, to wit;

Henry Ellis late of Saint Marys County Yeoman was attached to answer unto John Denn in a plea wherefore with force and arms and so forth at the County aforesaid he entered into all that tract or parcel of plantable land called "Maiden Brown", lying and being in Saint Marys County aforesaid, containing one hundred acres with the appurtenances which Joseph W. Brown Virginia Brown, George H. Mattingly and Mary M. his wife demised to the said John for a term of years, which term is not yet expired, and ejected him from his said Farm and other wrongs to the said John there did to the great damage of the said John and against the peace government and dignity of the State and so forth And thereupon the said John by George W. Morgan his Attorney Complains that the said Joseph W. Brown, Virginia Brown, George H. Mattingly and Mary M. his wife heretofore

to wit: On the first day of January eighteen hundred and fifty one at Saint Marys County aforesaid had demised to the said John and his assigns from the thirty first day of December then last past, for and during and until 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 John entered into the said tract or parcel of plantable land with the appurtenances and was possessed thereof and being so possessed thereof the said Henry afterwards to wit; on the first day of January in the year of Our Lord, eighteen hundred and fifty one, aforesaid, with force and arms that is to say, with swords, staves and staffs at the County aforesaid, entered into the said tract or parcel of plantable land with the appurtenances which the said Joseph W. Brown Virginia Brown, George H. Mattingly and Mary M. his wife had demised to the said John in manner aforesaid, which is not yet expired, and ejected the said John from his said farm and other wrongs to the said John there and then did to the great damage of the said John and against the peace government and dignity of the State and so forth. Whereupon the said John saith that he is injured and hath damage to the value of Five thousand dollars Current money and therefore he brings his suit and so forth.

Pledges &c John Doe &c Richard Roe } – George W. Morgan Plfs Atty.

Thereupon on motion of the said Henry Ellis by his Attorney aforesaid leave is given by the Court here to said Henry Ellis to ascertain his defence, and answer the declaration aforesaid of the said John Denn lessee as aforesaid in the plea aforesaid until the first Monday of August next, the same day is given to the said John Denn lessee as aforesaid and so forth.

At which said first Monday of August being the first day of the same month in the year of Our Lord one thousand eight hundred and fifty three, till which day the said Henry Ellis had leave to ascertain his defence, and answer the declaration of the said John Denn lessee as aforesaid in the plea aforesaid Comes again into Court here as well the said John Denn Lessee as aforesaid as also Rebecca Brown tenant of the said Henry Ellis and by the Consent of the Court here first had and obtained and by her Attorney aforesaid defends the force and injury when and so forth and says she is not guilty of the trespass and ejectment aforesaid in the declaration aforesaid mentioned in manner and form as the said John Denn lessee as aforesaid above complains against her and of this she puts herself upon the Country, and the said John Denn lessee as aforesaid in like manner; Whereupon further process of land upon the premises aforesaid between the parties aforesaid by consent of the said parties and their Attorneys aforesaid and order of the Court here thereon is further continued until the third Monday in March next.

At which said third Monday of March being the twentieth day of the same month in the year of Our Lord one thousand eight hundred and fifty four, Comes again into the Circuit Court here the said John Denn lessee as aforesaid by his Attorney aforesaid, as also the said Rebecca Brown by her Attorney aforesaid and filed in Court here the following agreement and Will.