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or them under whom they claim to the declaration aforesaid as to the remaining part of the land and premises aforesaid for which no defence is stated on the said pleas may appear and answer but the said John Doe nor the said George W Kleaver and James Morrison nor any other person or persons whatsoever appear to the declaration aforesaid but the said John makes default Therefore it is considered by the Court here that the said Thomas Hammond recover against the said John Doe his term aforesaid yet to come and unexpired of in and to the remaining part of the land and premises aforesaid with the appurtenances Tenements belonging &c which no defence has been taken upon the pleas returned in this cause And the said Thomas Hammond prays the writ of the State of Maryland of Habeas Fieras possessionem to be directed to the Sheriff of the County aforesaid to cause him to have his possession of the term aforesaid yet to come of and in the lands and premises aforesaid to wit All that part of lot number 3907 not in dispute in possession of No 1 as amended, and possession No 2 as laid down on the plats in this cause, with the appurtenances; and it is granted to him

Whereupon for trying the issues aforesaid above joined between the parties aforesaid it is ordered by the Court here that 30 persons from the panel of petit Jurors selected according to the Code of Public General Laws of Maryland be drawn by ballot as 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 Court for the respective parties and the Court for each of the said parties having struck off four persons from the lists thereupon the remaining twelve persons being called came that is to say

Jury 1 Alexander King	7 Thomas Whaley
2 W W Selby	8 Charles B Smith
3 Thomas Moon	10 Robert Cheesebro
4 George P Hankey	11 Henry Hardman
5 Thomas A Cooper	12 George Miller
6 Jacob Prengle	9 Thomas Whaley

who being empannelled and sworn to say the truth in the premises upon their oath do say as to the trespass and ejectment aforesaid of the lot or parcel of land located upon the plats returned and filed in the

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cause as Possession No 1 as amended aforesaid part of the tenements aforesaid within mentioned and in the said declaration expressed to have been demised to the said Richard by the said Thomas Hammond with the appurtenances that the said George W Kleaver and James Morrison are thereof guilty in manner and form as the said Richard hath above thereof complained against them and they assess the damages of him the said Richard by reason of their trespass and ejectment to one cent. And to the residue of the trespass and ejectment aforesaid in the residue of the tenement aforesaid within mentioned and in the said declaration expressed to have been demised as aforesaid to wit Possession No 2 as located on the plats returned and filed in the cause as aforesaid the jurors aforesaid upon their oaths aforesaid further say that the said George W Kleaver and James Morrison are in no wise guilty thereof as the said Richard above in pleading hath alleged.

Thereupon it is considered by the Court here that the said Thomas Hammond lessee recover against the said George W Kleaver and James Morrison his term aforesaid yet to come and unexpired of in and in all that tract or parcel of land on the plats filed in the cause as Possession No 1 as amended and that he have thereof his possession against the said George W Kleaver and James Morrison and so forth.

Before the jurors within named from the Bar of the Court the said George W Kleaver and James Morrison by their attorneys aforesaid filed in Court here the following bills of exceptions to wit

Thomas Hammond as Lessee
vs
James Morrison and George Kleaver } The plaintiff to sustain the issues on his part gave offered patent from the State of Maryland to Thomas Johnson dated March 31. 1844.

The State of Maryland To all persons to whom these presents shall come Greeting Know ye that whereas there were surveyed and laid out pursuant to a resolution of the General Assembly of passed at April session 1787 amongst other lots to the Westward of Fort Cumberland in Allegany County, the following distinguished by the numbers 312 3904 3905 3906 and 3907 contiguous to each other and containing 50 acres each And whereas the said lots were by the Commissioners appointed in review of an act passed at November session