October Term, 1880.

State of Maryland,
Baltimore County.

George H. Berry vs. John Dewart and Elizabeth Dewart his wife.	In the Circuit Court for Baltimore County, December Term, 1879.

September 11th. 1879.— Transcript of record from Circuit Court for Howard County filed.

Case originating in the Baltimore City Court, and removed on affidavit of plaintiff, to the Circuit Court for Howard County, from whence, on affidavit of defendants, it was removed to the Circuit Court for Baltimore County.

Nar. in Ejectment.

In the Baltimore City Court,

City of Baltimore, to wit:

George H. Berry, by William Jessop Ward, his attorney, sues John Dewart and Elizabeth Dewart, his wife.

For that, whereas the said George H. Berry, heretofore, to wit, on the (day) 24th of September, in the year eighteen hundred and fifty-six, was in possession, at Baltimore City, of all that parcel of land, situate, lying and being in said City, and contained within the metes and bounds, courses and distances following, that is to say;

Beginning for the same on the line of the southeastern side of Lee Street, in the City of Baltimore, at the distance of three hundred and forty feet and seven inches southeasterly from the corner formed by the intersection of the southeastern side of Warner Street and the southeastern side of Lee street, and running thence southeasterly at right angles to Lee street, one hundred feet and eight inches more or less to an alley 20 feet wide [illegible]

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thence southwardly, and binding on the northeasternmost side of sd. alley twenty feet and one inch, to the lot belonging to William H. Keener; thence northwesterly, binding on sd. lot of sd. Keener, and at right angles again to Lee street, 100 feet and 8 inches, more or less; and thence easterly or N. easterly, 20 feet 1 inch to the beginning.

And the said John Dewart, and Elizabeth Dewart, his wife, did, on the first day of January, in the year one thousand eight hundred and fifty-seven, at Baltimore City aforesaid, wrongfully enter said parcel of land and eject him the said George H. Berry, from said lot or parcel of land; ever since have retained, and still retain possession, and other wrongs to the said George H. Berry, then and there did to his great damage.

And the said George H. Berry claims the recovery of the said parcel of land, and for his damages $2.000, embracing mesne profits, during sd. period of a wrongful use and occupation.

William Jessop Ward,
Attorney for pltff.

The usual notice to defendants in ejectment was attached to said nar. and on the said defendants appearing to the action, they pleaded the general issue.

Dec. 17, 1879.— Defendants' 1, 2, 3 and 6 prayers rejected and filed; same day, defendants' 5th and 7th or general prayers granted and filed; the said 5th prayer being modified by the Court, by striking out the 2nd reason assigned in said prayers, said prayers will all appear in plaintiff's bill of exceptions, filed Dec. 18, 1879, and which bill of exceptions is in the words following, to wit:

Bill of Exceptions.

George H. Berry vs. John Dewart, and Elizabeth Dewart	In the Circuit Court for Baltimore County.