A Copy of which said Declaration and notice was made and sent to the sheriff of Montgomery County aforesaid "To be served on Henry Griffith tenant in possession or set upon the premises at least Eight days before the second Tuesday of May next.

At which said second Tuesday of May being the tenth day of the said month in the year of our Lord one Thousand seven hundred and ninety one and the return day of the service of a Copy of the aforegoing Declaration and notice comes into the General Court here the said John Worthy Lessee of the said John Beale Bordley by his attorney aforesaid; and the sheriff of Montgomery County aforesaid, towit, Benjamin White Jones, Gentleman to whom a Copy of the said Declaration and notice aforesaid was in form aforesaid sent certifies to the Court here the service thereof in form following towit: "Service 9th March Benjamin White Jones" whereupon the said John Worthy Lessee as aforesaid by his attorney aforesaid prays that the said Titus Thrifty the Defendant, the said Henry Griffith the tenant in possession of the said premises or those under whom he claims to the declaration aforesaid may appear; and thereupon the said Henry Griffith by Gabriel Duvall his attorney in pursuance of the notice aforesaid, comes into Court here, Whereupon it is ruled by the Court here, with the consent of the said John Worthy Lessee as aforesaid by his attorney aforesaid, and the said Henry Griffith (who claims the title in question) by his attorney aforesaid that the said Henry Griffith be admitted Defendant in the place of the now Defendant Titus Thrifty the casual Ejector, and that he immediately receive a Declaration and plead thereto the General issue, and at the trial thereon to be had, the said Henry Griffith shall appear in his proper person or by his attorney or counsel, and confess the lease, entry and actual ouster and expulsion of so much of the Tenements in the declaration of the said John Worthy Lessee as aforesaid as is in the possession of the said Henry Griffith or his tenants, or of any other person claiming by or under his title, or in default thereof, that Judgment be entered against the now Defendant Titus Thrifty the casual Ejector, but that prosecution be stayed against him until he makes default in any of the premises; and it is further ruled by the Court here with consent of Counsel, that if by reason of such default the said John Worthy Lessee as aforesaid, shall become non suit at the Trial the said Henry Griffith shall take no advantage thereof, but shall pay to the said John Worthy Lessee as aforesaid, his costs and soforth, 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 Griffith or if the said John Worthy Lessee as aforesaid, shall not prosecute his declaration upon any other cause than for not confessing lease entry and ouster as aforesaid (then

then the said John Beale Bordley Lessor of the aforesaid John Worthy shall pay costs and soforth, and thereupon the aforesaid John Worthy Lessee as aforesaid by his attorney aforesaid declares against the said Henry Griffith in the plea aforesaid in manner and form following towit. Western Shore State of Maryland Montgomery County towit. Henry Griffith late of Montgomery County planter was attached to answer unto John Worthy in a plea wherefore with force and arms and soforth at Montgomery County aforesaid he the said Henry into all those tracts or parcels of plantable Land called Tusculum, Elk Ridge, Resurvey on Griffiths Chance, Tumans plains and Thatsall situate and being contiguous to each other upon the little water course commonly called Hawlings River being a branch of Snowdens River in Montgomery County aforesaid with all Improvements & appurtenances thereunto belonging which John Beale Bordley to him the said John Worthy had demised for a Term which is not yet passed did enter and him the said John Worthy from the premises aforesaid his farm aforesaid did eject and other harms to the said John Worthy and against the peace and government of the State of Maryland and soforth. and whereupon the said John Worthy by M Cooke his attorney complains that whereas the said John Beale Bordley on the sixth day of November seventeen hundred and ninety at Montgomery County aforesaid had demised unto the said John Worthy the aforesaid premises with the appurtenances thereunto belonging to have and to occupy the said premises with the appurtenances to him the said John Worthy and his assigns from the fifth day of November seventeen hundred and ninety until the full Term of ten years then next following fully to be compleated and ended by virtue of which said demise the af John Worthy into the said premises with the appurtenances did enter and was thereof possessed and the said John Worthy being so thereof possessed the said Henry afterwards towit on the eighteenth day of November seventeen hundred and ninety at Ann Arundel County aforesaid with force and arms and soforth into the premises with the appurtenances which the said John Beale Bordley to him the said John Worthy in form aforesaid had demised for the Term aforesaid which is not yet ended and passed, entered & him the said John Worthy then and there did eject and other harms to him the said John Worthy then and there did to the great Damage of him the said John Worthy and against the peace Government and dignity of the state of Maryland &c. whereby the said John saith he is the worse and hath damage to the value of seven Thousand pounds Current money and therefore he brings suit and soforth.

M. Cooke for the Pltff. Pledges &c. John Doe and Richard Roe

Thereupon on motion of the said Henry Griffith by his attorney aforesaid leave is given by the Court here to the said Henry Griffith to ascertain the defence and answer to the Declaration aforesaid of the said John Worthy Lessee as (aforesaid