Whereupon the said Richard Fen Lessee as aforesaid by his attorney aforesaid prays that the said John Den the Defendant, the said John Matthews & Joseph Griffith the Tenants in possession of the said premises or those under whom they Claim to the declaration aforesaid may appear; and Thereupon the said John Matthews and Joseph Griffith by Luther Martin their attorney in pursuance of the notice aforesaid Come into Court here, whereupon it is ruled by the Court here with the consent of the said Richard Fen Lessee as aforesaid, by his attorney aforesaid, and the said John Matthews and Joseph Griffith (who claim the title in question by their attorney aforesaid that the said John Matthews and Joseph Griffith be admitted defendants in the place of the now Defendant John Den the Casual Ejector, and that they immediately receive a declaration, and plead thereto the general issue, and at the trial thereon to be held the said John Matthews and Joseph Griffith shall appear in their proper persons or by their 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 Richard Fen Lessee as aforesaid as is in the possession of the said John Matthews and Joseph Griffith or their Tenants or of any other person claiming by or under his title or in default thereof that Judgment be entered against the now Defendant John Den the Casual Ejector but that prosecution be staid against him untill 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 Richard Fen Lessee as aforesaid shall become nonsuit at the trial the said John Matthews and Joseph Griffith shall take no advantage thereof but shall pay to the said Richard Fen Lessee as aforesaid his costs and losses; 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 John Matthews and Joseph Griffith or if the said Richard Fen 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 John Gill of John Lessor of the said Richard Fen shall pay costs and losses.

And Thereupon the aforesaid Richard Fen Lessee as aforesaid by his attorney aforesaid declares against the said John Matthews and Joseph Griffith in the plea aforesaid in manner and form following to wit.

General Court, Western Shore of Maryland Baltimore County ss.

John Matthews and Joseph Griffith late of Baltimore County yeomen were attached to answer unto Richard Fen of a plea wherefore with force and arms he entered into all that tract or parcel of arable Land called Hickory bottom Corrected lying in Baltimore County aforesaid and contained within the following Metes, bounds, Courses and Distances Viz. Beginning North three Degrees West twenty four perches distant from the beginning

Tree

Tree of a Tract of land called Mary's Meadow, and running thence bounding reversely on the given line of the said land north three degrees West five hundred and forty perches to a Stone Marked with the letter N standing south three degrees east seventeen perches distant from a stone marked with the letters M.M. proved by John Kemp to stand at the place where James Everett twenty odd years ago ended the west one hundred and thirty five perches line of the aforesaid Tract of land called Mary's Meadow thence West forty perches to a Stone marked with the letters N.G. thence north four degrees east thirty seven perches south Eighty four degrees and thirty minutes West nineteen perches to a bounded white Oak standing at the place where Richard Hooker proved that Nicholas Austin Gay ended the last West line of a Tract of Land called Nicholson's Manor, thence running with and bounding on the given line of Nicholson's Manor south seven degrees and forty five minutes East five hundred and seventy six perches and thence with a straight line to the first place of beginning containing one Hundred and three quarters of an acre more or less with the appurtenances which John Gill of John demised to him the said Richard Fen for a Term of years which is not yet expired and ejected him from his said farm and other wrongs to him did to the great damage of the said Richard Fen and against the peace government and dignity of the State of Maryland and so forth.

And Thereupon the said Richard by Robert Smith his Attorney complains, that whereas the said John Gill of John on the first day of October in the year of our Lord one Thousand seven hundred and ninety three at Baltimore County aforesaid had demised to the same Richard the Tract of Land and premises aforesaid with the appurtenances, To Have and To Hold the said Tract of land and premises with the appurtenances to the said Richard and his assigns from the day of the date thereof to the full end and Term of Ten years thence next following and fully to be Complete and ended; by virtue of which demise the said Richard entered into the said Tract of Land and premises with the appurtenances and was thereof possessed, and the said Richard so being possessed thereof the said John Matthews and Joseph Griffith afterwards that is to say on the fourth day of October in the year aforesaid with force and arms and so forth entered in the said Tract of land and premises with the appurtenances which the said John Gill of John demised to the said Richard in form aforesaid for the Term aforesaid which is not yet expired and Ejected the said Richard out of the said Tract of Land and premises

(with)