the title only at the trial; otherwise I shall suffer judgment to be entered against me, and you will be turned out of Possession

To Mr. James Disney — Yr. Loving friend
Tenant in Possession — Philip Den, Jany 7th 1797.

At which said second Tuesday of May being the ninth day of the same month in the year of our Lord one thousand seven hundred and ninety seven comes into the General Court here, the said Richard Fen Lessee of the said John Compton Weems by Arthur Shaaff, John Thompson Mason, and Philip Barton Key his attornies, and the Sheriff of Ann Arundel County to whom a copy of the aforegoing Declaration in Ejectment and notice was in form aforesaid sent, likewise comes and makes return of the execution thereof to the Court here in manner and form following, to wit.

To the Honorable the Judges of the General Court.

I hereby certify, that on the sixth day of March in the year of our Lord one thousand seven hundred and ninety seven I delivered to James Disney Tenant in Possession of a tract of land called Dinah ford Beaverdam, one other tract of land called Foorde's Folly, one other tract of land called Killington, and one other tract of land called Lock Eden with the appurtenances an official Copy of a Declaration in Ejectment filed in the General Court Office of the Western Shore at the suit of Richard Fen Lessee of John Compton Weems, and did notify to the said James Disney to appear and defend his title otherwise &c. pursuant to the notice thereto annexed.

To answers Richard Harwood Shff.

And the said James Disney by Luther Martin, James Winchester, and Jonathan R. Wilmer his attornies in pursuance of the notice aforesaid comes into court here. And thereupon it is ruled by the Court here with the consent of the said Richard Fen Lessee of the said John Compton Weems by his attornies aforesaid and the said James Disney (who claims the title in question) by his attornies aforesaid, that the said James Disney be admitted Defendant in the place of the now Defendant Philip Den and that he immediately receive a declaration, and plead thereto the general issue, and at the trial thereon to be had the said James Disney shall appear in his proper person or by his attornies or counsel

and

confess lease entry and actual ouster and expulsion of so much of the tenements in the declaration of the said Richard Fen Lessee of the said John Compton Weems as in the possession of the said James Disney or of 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 Philip Den the casual ejector, but that prosecution be stayed 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 of the said John Compton Weems shall become nonsuit at the trial, the said James Disney shall take no advantage thereof, but shall pay to the said Richard Fen Lessee of the said John Compton Weems his costs and so forth. 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 James Disney or if the said Richard Fen lessee of the said John Compton Weems shall not prosecute his Declaration, upon any other cause, than for the not confessing Lease Entry and ouster as aforesaid then the said John Compton Weems Lessor of the said Richard Fen shall pay costs and so forth: and thereupon the said Richard Fen Lessee of the said John Compton Weems by his attornies aforesaid declares against the said James Disney in the Plea aforesaid in manner and form following to wit.

Western Shore General Court Ann Arundel County to wit.

James Disney late of Ann Arundel County Yeoman was attached to answer unto Richard Fen in a plea wherefore with force and arms he into one tract of land lying in the county aforesaid, called Dinah ford Beaverdam, with the appurtenances, into one other tract of Land lying in the county aforesaid, called Foorde's Folly with the appurtenances, into one other tract of land lying in the county aforesaid, called Killington with the appurtenances and into one other tract of land lying in the county aforesaid, called Lock Eden with the appurtenances, which tracts of land John Compton Weems demised to the said Richard for a term which is not yet past, entered, and him the said Richard from his farm aforesaid ejected, and committed other wrongs on him to the great damage of him the said Richard, and against the Peace of the State of Maryland and so forth. And whereupon the said Richard

by