of the said Charles Beatty or his Tenants, or of any other person claiming by or under his title, or in default thereof, that Judgment be entered against the non Defendant, Peter Litigious, the Casual Ejector, but that prosecution be staide 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 Jeffery Peacable lessee of the said Mayor Recorder, Aldermen and Common Councilmen of George Town, shall become nonsuit at the trial, the said Charles Beatty shall take no-advantage thereof, but shall pay to the said Jeffery Peacable lessee of the said Mayor, Recorder, Aldermen and Common Councilmen of George Town his Costs, andsofath: 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 Charles Beatty, or if the said Jeffery Peacable lessee of the said Mayor, Recorder, Aldermen, and Common Councilmen of George Town, shall not prosecute his Declaration upon any other cause than for the not confening Lease, Entry and Ouster as aforesaid, then the said Mayor Recorder, Aldermen and Common Councilmen of George Town lessors of the said Jeffery Peacable shall pay Costs, andsofath: And thereupon the said Jeffery Peacable lessee of the said Mayor, Recorder, Aldermen, And Common Councilmen of George Town by his Attornis aforesaid, declars against the said Charles Beatty in the plea aforesaid in form following towit.- Western Shore, State of Maryland, Montgomery County ss. Charles Beatty late of Montgomery County yeoman was attached to answer unto Jeffery Peacable in a plea wherefore with force & arms he entered into all that tract of land lying and being in Montgomery County aforesaid called Enquirers Disappointment which the Mayor, Recorder, Aldermen and Common Councilmen of George Town demised to the said Jeffery for a Term 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 Jeffery and against the peace dignity & government of the State of Maryland &c. And whereupon the said Jeffery by John Thomson Mason and Luther Martin his Attornis saith that whereas the said Mayor, Recorder Aldermen & Common Councilmen of George Town on the First day of February Eighteen hundred at Montgomery County aforesaid had demised to the said Jeffery the Tenement aforesaid with its appurtenances to have & to hold the Tenement aforesaid with its appurtenances to the said Jeffery & his assigns from the said First day of February to the full end & Term of Ten years thence next following fully to be Complete and ended: By virtue of which said demise the said Jeffery into the Tenement aforesaid with its appurtenances entered and was thereof possessed: And the said Jeffery being so thereof possessed the said Charles Beatty afterwards towit on the Twentieth day of February in the year aforesaid with force & arms, that is to say with Swords, Staves

and knives into the Tenement aforesaid so as aforesaid demised, entered, and him the said Jeffery from his Farm aforesaid (his Term aforesaid being not yet expired) ejected and other wrongs to him the said Jeffery then & there did to the great damage of the said Jeffery and against the peace & government & dignity of the State of Maryland andsofath: Wherefore the said Jeffery saith he is injured to the value of Five hundred pounds current money of Maryland and therefore he brings suit andsofath.

John Thomson Mason & Luther Martin attornis for Plaintiff.

Whereupon the said Charles Beatty by his attorney aforesaid, defends the force and injury when and sofath, and prays leave of the Court here to ascertain his defence and to imparle until the second tuesday of October next, and to him it is granted; the same day is given to the said Jeffery Peacable lessee of the said Mayor, Recorder, Aldermen and Common Councilmen of George Town also.- At which said second tuesday of October in the year of our Lord One thousand eight hundred, come again into the General Court here, as well the said Jeffery Peacable lessee of the said Mayor, Recorder, Aldermen and Common Councilmen of George Town by his attornies aforesaid, as the said Charles Beatty by his attorney aforesaid; And the said Charles Beatty by his attorney aforesaid as before defends the force and injury when andsofath, and takes defence according to his pretensions, as they shall appear to be laid down on the return of a Warrant of Resurvey, to be issued in this cause, andsays, that is not Guilty of the Trespass and Ejectment aforesaid, in the Declaration aforesaid mentioned, in manner and form as the said Jeffery Peacable lessee of the said Mayor, Recorder, Aldermen and Common Councilmen of George Town above complains against him, and of this he puts himself upon the Country, and the said Jeffery Peacable lessee of the said Mayor, Recorder, Aldermen and Common Councilmen of George Town in like manner and sofath. And thereupon, on motion of the said Jeffery Peacable lessee of the said Mayor Recorder, Aldermen, and Common Councilmen of George Town by his attornies aforesaid, it is ordered by the Court here, that the writ of the State of Maryland of Warrant of Resurvey, issue in this cause; and the same accordingly issued directed to the Sheriff and Surveyor of Montgomery County, returnable to the Court here on the second tuesday of May next; and thereupon the same day is given to the parties aforesaid then and there and sofath. — And now at this day towit, the said second tuesday of May in the year of our Lord One thousand eight hundred and one, being the day of the return of the said aforementioned warrant of Resurvey, come again into the General Court here, as well the said Jeffery Peacable lessee of the said Mayor, Recorder, Aldermen and Common Councilmen of George Town by his attornies aforesaid, as the said Charles Beatty by his attorney aforesaid; And the said Charles Beatty by his attorney aforesaid, offers himself ready for trial against the said Jeffery Peacable lessee of the said Mayor, Recorder Aldermen, and Common Councilmen of George Town in the plea aforesaid,