ouster and expulsion of so much of the tenements in the Declaration of the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard as is in the possession of the said John Cromwell 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 Henry Holdfast the casual Ejector, but that prosecution be staid 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 afsd Thomas Goodright Lessee of the aforesaid Cornelius Howard shall become non suit at the trial, the said John Cromwell shall take no advantage thereof, but shall pay to the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard his costs &c.
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 Cromwell, or if the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard shall not prosecute his Declaration upon any other cause than for the not confessing Case, entry and ouster as aforesaid, then the said Cornelius Howard Lessee of the aforesaid Thomas Goodright shall pay costs &c.
And thereupon the aforesaid Thomas Goodright Lessee of the afsd Cornelius Howard by his attorney aforesaid declares against the said John Cromwell in the plea aforesaid in manner and form following to wit, State of Maryland Baltimore County to wit John Cromwell late of Baltimore County yeoman was attached to answer unto Thomas Goodright of a plea wherefore with force and arms &c. he entered into the following tracts of land called Howards Inheritance resurveyed, Water Oak Ridge and Rosland with the appurtenances thereto belonging situate in Baltimore County which a certain Cornelius Howard demised unto the said Thomas for a term which is not yet expired, and ejected him from his said farm and did other wrongs to him to the great damage of the said Thomas and against the peace Government and Dignity of the State of Maryland &c. And whereupon the said Thomas by Luther Martin his attorney complains, that whereas the said Cornelius Howard on the twenty second day of June in the year of our Lord one thousand seven hundred and ninety three at Baltimore county aforesaid, hath demised to the said Thomas the said tracts of land called Howards Inheritance resurveyed, Water Oak Ridge and Rosland with the appurtenances for him the said Thomas and his assigns, to have and to hold the said tracts of land with the appurtenances from the said twenty second day of June

June in the said year to the full end and term of ten years ~ then next following, and fully to be compleat and ended By virtue of which said Demise the said Thomas entered into the said land with the appurtenances and was possessed thereof, and being so possessed thereof the said John afterwards that is to say on the tenth day of July in the said year with force and arms entered into the said tracts of land with the appurtenances which the said Cornelius Howard demised to the said Thomas in the manner as aforesaid for a term which is not yet expired, and ejected the said Thomas out of his said farm, and did him other wrongs to the great damage of the said Thomas, and against the peace Government &c Dignity of the State of Maryland &c. whereby the said Thomas declares he is injured and endamaged to the value of one hundred pounds and therefore he brings this suit &c.
Luther Martin pro Pltff. pledges &c. } John Doe and Richard Roe
Thereupon on motion of the said John Cromwell by his attorney aforesaid leave is given by the court here to the said John Cromwell to ascertain his Defence and answer to the Declaration aforesaid of the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard in the plea aforesaid until the second tuesday of May next, thereafter day is given to the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard also.
At which said second tuesday of May, being the twelfth day of the same month in the year of our Lord one thousand seven hundred and ninety five till which said day, the said John Cromwell had leave to ascertain his defence and answer to the Declaration aforesaid, of the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard in the plea aforesaid come again into the General Court here as well the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard by his attorney aforesaid: And the said John Cromwell by his attorney aforesaid defends the force and injury when and so forth and takes defence according to his pretentions, as they shall appear to be laid down on the return of a warrant of Resurvey, to be issued in this cause and says that he is not guilty of the trespass and Ejectment aforesaid in the Declaration aforesaid mentioned, in manner and form as the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard, above complains against him and of this he puts himself upon the country, and the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard in like manner.
And thereupon on motion of the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard by his attorney aforesaid. It is

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