James Eden shall hereafter take defence, or that in default thereof, Judgment shall be thereupon entered against the Defendant Timothy Mobile, the Casual Ejector; but proceedings shall be staid against him until default shall be made in any of the premises; and by the like consent, it is further ordered, that if, by reason of any such default, the Plaintiff shall happen to be Nonsuited upon the trial, the said Michael Jenifer Stone, Guardian of the said James Eden shall take no advantage thereof, but shall thereupon pay to the Plaintiff all such Costs and charges as by the Court here shall be taxed and adjudged for such his default in non performance of this Rule; and it is further ordered, that the said Richard Hey Heath lessor of the said Thomas Right shall be liable to the payment of Costs to the said Michael Jenifer Stone, Guardian of the said James Eden by the Court here, to be in any manner allowed or adjudged: And thereupon the said Thomas Right lessee of the said Richard Hey Heath by his attorney aforesaid, declares against the said Michael Jenifer Stone Guardian of the said James Eden, in the plea aforesaid, in manner and form following to wit. — Western Shore, State of Maryland, Saint Mary's County to wit, Michael Jenifer Stone, Guardian of James Eden late of Saint Mary's County, was attached to answer unto Thomas Right of a plea wherefore with force and arms and so forth into all that tract or parcel of plantable land called The Wolf Holes lying and being in Saint Mary's County aforesaid with the appurtenances — containing Two hundred and sixty two acres of land, as also one other tract or parcel of land called Coles Adventure lying and being in the county aforesaid containing One hundred and fifty acres of land both of which tracts or parcels of land, Richard Hey Heath to him the said Thomas demised for a term not yet past he the said Michael Jenifer Stone, Guardian of the said James Eden did enter and him the said Thomas from his Farms aforesaid did Eject and other harms to him the said Thomas did to the great damage of him the said Thomas and against the peace and Government of the State of Maryland and so forth: And whereupon the said Thomas by Philip Barton Key his attorney complains that whereas the aforesaid Richard on the first day of January in the year One thousand — eight hundred, at Saint Mary's County aforesaid had demised unto him the said Thomas the said premises with the appurtenances to him the said Thomas and his assigns from the thirty first day of December then last past until the end and term of Ten years then next following fully to be complete and ended: By virtue of which demise the aforesaid Thomas into the premises with the appurtenances did enter and was thereof possessed, and the said Thomas so being thereof possessed the aforesaid Michael Jenifer Stone Guardian of the said James Eden, afterwards to wit on the first day

of January in the year Eighteen hundred, at Saint Mary's County aforesaid, with force and arms and so forth into the premises with the appurtenances aforesaid which the said Richard to him the said Thomas in form aforesaid had demised for the term aforesaid which is not yet past entered and him the said Thomas from his Farms aforesaid did eject and other harms to him the said Thomas did to the great damage of him the said Thomas and against the peace of the State of Maryland and so forth; wherefore the said Thomas saith he is the worse and hath damage to the value of Three thousand pounds current money and therefore he brings suit and so forth. — Pledges &c. John Doe Rich. Roe.

Philip Barton Key for the Plaintiff. —

Thereupon, on motion of the said Michael Jenifer Stone, Guardian of the said James Eden by his attorney aforesaid, leave is given by the Court here to the said Michael Jenifer Stone, Guardian of the said James Eden to ascertain his defence, and answer to the Declaration aforesaid of the said Thomas Right lessee of the said Richard Hey Heath in the plea aforesaid, until the second tuesday of October next; the same day is given to the said Thomas Right lessee of the said Richard Hey Heath also. —

At which said second tuesday of October, being the fourteenth day of the said month in the year of our Lord One thousand eight hundred, to which said day the said Michael Jenifer Stone, Guardian of James Eden had leave to ascertain his defence, and answer to the Declaration aforesaid of the said Thomas Right lessee of the said Richard Hey Heath in the plea aforesaid, come again into the General Court here, as well the said Thomas Right lessee of the said Richard Hey Heath by his attorney aforesaid, as the said Michael Jenifer Stone, Guardian of the said James Eden by his attorney aforesaid; And the said Michael Jenifer Stone, Guardian of the said James Eden by his attorney aforesaid, defends the force and injury when and so forth, 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, and says, that he is not Guilty of the Trespass and Ejectment aforesaid, in the Declaration aforesaid mentioned, in manner and form as the said Thomas Right lessee of the said Richard Hey Heath above complains against him, and of this he puts himself upon the Country, and the said Thomas Right lessee of the said Richard Hey Heath in like manner; and thereupon, on the motion of the said Thomas Right lessee of the said Richard Hey Heath by his attorney 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 issues directed to the Sheriff and Surveyor of Saint Mary's County, in form following to wit. — The State of Maryland, to wit; To the Sheriff and Surveyor of Saint Mary's County Greeting. Whereas at a General Court,