pursuance of the notice aforesaid, comes into the General Court, whereupon it is ruled by the Court here, with the Consent of the said Paul Peaceable lessee of the said Levin Luckett, by his attorney aforesaid, and the said John Beatty (who claims the title in question) by his attorney aforesaid, that the said John Beatty be admitted Defendant in the place of the now Defendant John Trytitle, the Casual Ejector, and that he immediately receive a Declaration and plead thereto the General Issue, and at the trial thereon to be had the said John Beatty shall appear in his proper person, or by his 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 Paul Peaceable lessee of the said Levin Luckett, as is in the possession of the said John 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 now Defendant John Trytitle, 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 said Paul Peaceable lessee of the said Levin Luckett shall become Nonsuit at the trial, the said John Beatty shall take no advantage thereof, but shall pay to the said Paul Peaceable lessee of the said Levin Luckett, 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 John Beatty, or if the said Paul Peaceable lessee of the said Levin Luckett, shall not prosecute his Declaration upon any other cause than for the not confessing Lease, Entry and Ouster as aforesaid then the said Levin Luckett lessor of the said Paul Peaceable shall pay Costs, and so forth: And thereupon the said Paul Peaceable lessee of the said Levin Luckett by his attorney aforesaid, declares against the said John Beatty in the plea aforesaid, in manner and form following to wit. - State of Maryland, Western Shore, Montgomery County to wit; John Beatty late of Montgomery County, yeoman was attached to answer unto Paul Peaceable of a plea wherefore with force and arms he entered into one Messuage and four hundred and ninety eight acres of plantable land called Meridith's Hunting Quarter with the appurtenances in the County of Montgomery aforesaid which Levin Luckett had leased to the said Paul Peaceable for a Term of years not yet expired and ejected him the said Paul from his said Farm and did to him other wrongs to the great Damages of the said Paul and against the peace dignity and Government of the State of Maryland: And whereupon the said Paul Peaceable by John Thomson Mason his attorney complains that whereas the said Levin Luckett on the first day of March in the year One thousand seven hundred and ninety seven, at the County of Montgomery aforesaid had leased to the said Paul the Tenement and premises aforesaid with the appurtenances, to have and to hold to the said Paul and his assigns from the said First day of March to the end & term of Ten years then next following and fully to be complete and ended; By virtue of which

said demise the said Paul entered into the Tenement and premises aforesaid with the appurtenances and was thereof possessed; And he the said Paul being so thereof possessed, he the said John Beatty afterwards to wit, upon the tenth day of March in the year aforesaid, at the County aforesaid entered with force and arms into the Tenement and premises aforesaid with the appurtenances, which the said Levin had demised to the said Paul in form aforesaid; for the said Term which is not yet expired; and ejected him the said Paul from his said Farm, and then & there did to him other wrongs to the great damage of him the said Paul and against the peace, dignity & Government of the State of Maryland; Wherefore the said Paul saith he is injured and has sustained damage to the value of Fifty pounds current money of Maryland and therefore he brings suit &c^a — John T. Mason for the Plaintiff — Whereupon the said John Beatty by his attorney aforesaid, defends the force and injury when and so forth, and prays leave of the Court here to imparle until the second tuesday of May next, to ascertain his defence and answer to the Declaration aforesaid of the said Paul Peaceable lessee of the said Levin Luckett in the plea aforesaid, and to him it is granted; the same day is given to the said Paul Peaceable lessee of the said Levin Luckett also. -

At which said second tuesday of May being the Eighth day of the said month in the year of our Lord One thousand seven hundred and ninety eight to which said day the said John Beatty had leave to imparle to ascertain his defence and answer to the Declaration aforesaid in the plea aforesaid, come again into the General Court here as well the said Paul Peaceable lessee of the said Levin Luckett by his attorney aforesaid, as the said John Beatty by his attorney aforesaid: And the said John Beatty by his attorney aforesaid, as before 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 Paul Peaceable lessee of the said Levin Luckett, above complains against him, and of this he puts himself upon the Country, and the said Paul Peaceable lessee of the said Levin Luckett in like manner; And thereupon, on the motion of the said Paul Peaceable lessee of the said Levin Luckett 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 Montgomery County in form following to wit. - The State of Maryland, to wit, To the Sheriff and surveyor of Montgomery County, Greeting: Whereas at a General Court begun and held at the City of Annapolis on the second tuesday of May in the year of our Lord One thousand seven hundred and ninety eight, it was so far proceeded in a certain plea of Trespass and Ejectment, in the said Court depending, between a certain Levin Luckett's Lessee plaintiff, and a