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 aforesaid Timothy Truetitle Lessee of the said Adam Peddicoart shall become non suit at the trial the said James Riggs shall take no advantage thereof, but shall pay to the aforesaid Timothy Truetitle Lessee of the said Adam Peddicoat 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 James Riggs or if the aforesaid Timothy Truetitle Lessee of the said Adam Peddicoart shall not prosecute his declaration upon any other Cause than for the non confesing lease Entry and ouster as aforesaid then the said Adam Peddicoart Lessor of the aforesaid Timothy Truetitle shall not pay Costs &c. And thereupon the aforesaid Timothy Truetitle Lessee of the said Adam Peddicoart by his Attornies aforesaid, declares against the said James Riggs in the plea aforesaid, in manner and form following to wit.

General Court for the Western shore of Maryland. Ann Arundel County ss. James Riggs late of Ann Arundel County yeoman was attached to answer unto Timothy Truetitle of a plea wherefore with force and arms he entered into all that tract or parcel of Arable Land called the Invasion with the appurtenances, at the County aforesaid which Adam Peddicoart demised to the said Timothy for a term which is not yet expired and Ejected him from the aforesaid tract of Land and other wrongs to him there did to the great damage of the said Timothy and against the peace government and dignity of the State of Maryland and soforth. And whereupon the said Timothy by Luther Martin and Thomas Bale Randall his Attornies complain, that whereas the said Adam Peddicoart on the first day of January in the year of our Lord one thousand seven hundred and ninety nine at the County aforesaid had demised to the same Timothy the tract of land aforesaid with the appurtenances; To have and to hold the said tract of Land with the appurtenances to the said Timothy and his assigns from the first day of December then last past to the End and term of seven years from thence next following and fully to be compleat and Ended; by virtue of which demise the said Timothy Entered into the said tract of Land with the appurtenances and was thereof possessed and the said Timothy being so thereof possessed the said James afterwards to wit, on the said first day of January in

in the said year with force and arms to wit, with swords staves and knives entered into the said tract of land which the said Adam Peddicoart demised to the said Timothy for the term aforesaid which is not yet expired and ejected the said Timothy from the tract of land aforesaid and other wrongs to him there did to his great damage and against the peace Government and dignity of the State of Maryland and so forth; whereby the said Timothy saith that he is injured and hath sustained damage to the amount of one hundred pounds Current money of Maryland, and thereupon he bringeth suit and soforth.

I. Martin and T. B. Randall for Plff. } John Doe and
Pledges &c. } Richard Roe.

Thereupon, on motion of the said James Riggs by his attorney, aforesaid, leave is given by the Court here to the said James Riggs to ascertain his defence and answer to the declaration aforesaid of the aforesaid Timothy Truetitle Lessee of the said Adam Peddicoart, in the plea aforesaid, untill the second Tuesday of May next; the same day is given to the aforesaid Timothy Truetitle Lessee of the said Adam Peddicoart also.

At which said second Tuesday of May, being the thirteenth day of the same month in the year of our Lord, one thousand eight hundred till which said day the said James Riggs had leave to ascertain his defence, and answer to the declaration aforesaid, of the aforesaid Timothy Truetitle Lessee of the said Adam Peddicoart in the plea aforesaid, comes again into the General Court here, as well the aforesaid Timothy Truetitle Lessee of the said Adam Peddicoart by his attornies aforesaid as the said James Riggs by his attorney aforesaid And the said James Riggs by his attorney aforesaid defends the force and injury when and so forth, and takes defence according to his pretentions as they 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 Timothy Truetitle Lessee of the said Adam Peddicoart above Complains against him; and of this he puts himself upon the Country; and the aforesaid Timothy Truetitle Lessee of the said Adam Peddicoart in like manner; And thereupon, on the motion of the aforesaid Timothy Truetitle Lessee of the said Adam Peddicoart 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 issues, directed to the sheriff and Surveyor of Ann Arundel County returnable to the Court here, on the second Tuesday of October next, in form following, to wit.

The State of Maryland to wit, To the sheriff and surveyor of Ann Arundel County