whereupon the said Montezuma Emperor of Mexico Lessee as aforesaid by his attorney aforesaid says that the said Hernando Cortes the Defendant the said Samuel Burgess Leonard Burgess Allen Billingsly Jonathan Woodburn and John Lyon the Tenants in possession of the said premises or those under whom they claim to the declaration aforesaid may appear And thereupon the said Samuel Burgess Leonard Burgess Allen Billingsly Jonathan Woodburn and John Lyon by John Johnson their attorney in pursuance of the notice aforesaid come into Court here whereupon it is ruled by the Court here with the consent of the said Montezuma Emperor of Mexico Lessee as aforesaid by his attorney aforesaid and the said Samuel Burress Leonard Burress Allen Billingsly Jonathan Woodburn and John Lyon who claim the title in question by their attorney aforesaid that the said Samuel Burress Leonard Burress Allen Billingsley Jonathan Woodburn and John Lyon be admitted Defendants in the place of the now Defendants Hernando Cortes the casual Ejector and that they immediately receive a declaration and plead thereto the general issue and at the trial thereon to be had the said Samuel Burgess Leonard Burgess Allen Billingsly Jonathan Woodburn and Joseph Lyon shall appear in their proper persons or by their 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 Montezuma Emperor of Mexico Lessee as aforesaid as is in the possession of the said Samuel Burress Leonard Burress Allen Billingsly Jonathan Woodburn and John Lyon or their tenants or of any other person claiming by or under their title or in default thereof that Judgment be

entered against the now Defendant Hernando Cortes the casual Ejector but that prosecution be stayed against him until they make 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 Montezuma Emperor of Mexico Lessee as aforesaid shall become nonsuit at the Trial the said Samuel Burgess Leonard Burgess Allen Billingsley Jonathan Woodburn and John Lyon shall take no advantage thereof but shall pay to the said Montezuma Emperor of Mexico Lessee as aforesaid 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 Samuel Burress Leonard Burress Allen Billingsley Jonathan Woodburn and Joseph Lyon or if the said Montezuma Emperor of Mexico Lessee as aforesaid shall not prosecute his declaration upon any other cause than for the not confessing lease entry and ouster as aforesaid then the said George Traiper Hawkins Nathaniel Washington and Margaret his wife and Henderson Lin Butler and Susanna Greenfield his wife Lessor of the aforesaid Montezuma Emperor of Mexico shall pay costs and so forth And thereupon the said Montezuma Emperor of Mexico Lessee as aforesaid by his attorney aforesaid declares against the said Samuel Burress Leonard Burress Allen Billingsley Jonathan Woodburn and John Lyon in the plea aforesaid in manner and form following to wit Western Shore State of Maryland Saint Marys County Sc. Samuel Burress Leonard Burress Allen Billingsley Jonathan Woodburn and John Lyon late of St. Marys County planters were attached to answer unto Montezuma Emperor of Mexico in a plea wherefore with force & arms &c. at Saint Marys County aforesaid