Amend, that he was informed by him such an entry was made this Deponant says that he considers he cannot with safety, enter on the trial of the Cause until additional locations are made – at the former trial a location was made on the plats as his location different from his instructions, – that it was relied on by the Plaintiff as operating against this Deponant, and that the Court rejected evidence offered by him to shew the location was different from his instructions which opinion was affirmed, –

This Deponant further says he cannot in his opinion with safety go to the Trial until a location is made consistant with his instructions, – Sworn to in open Court 12th October 1803.

Jnº Guinn Cl.

Which being seen and considered by the Court here, and for that it appears to the Court here that the said plots and certificates are defective, and that an amendment thereof is necessary for the trial of the Merits between the parties aforesaid a further day is given by the Court here, until the second Tuesday of may next to the parties aforesaid to amend the said plots and certificates and to add thereto, if necessary, and it is considered by the Court here that the said Henry Goodfight Lessee as aforesaid recover against the said Aquila Hall the Quantity of five hundred and fifty three pounds of Tobacco and the sum of thirty seven Dollars and fifty Cents Current Money for his Costs and Charges by him sustained about his suit in this behalf since the last Continuance of the plea aforesaid; Whereupon the said plots and Certificates heretofore returned to the Court here in this Cause are delivered to the Sheriff and Surveyor of the County of Baltimore aforesaid for the purpose of amending the same & adding thereto if necessary by the second Tuesday in May Next: thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by order of the Court here thereon, is further continued until the said Second Tuesday of May next; the same day is given to the said parties then &c.

At which said second Tuesday of May being eighth day of the same month in the year of our Lord One thousand eight hundred and four, Comes again into the General Court here as well

(the)



the said Henry Goodfight Lessee, as aforesaid by Luther Martin and John Thomson Mason his attornies as the said Aquila Hall by Philip Barton Key, Zebulon Hollinsworth, Robert Goodloe Harper, John Johnson and William Pinkney his attornies and thereupon on Motion of the said Henry Goodfight Lessee aforesaid by his attornies aforesaid, it is ruled by the Court here that the said Timothy Troublesome (the Casual Ejector) Aquila Hall (the tenant in possession) or those under whom they claim answer to the declaration aforesaid as to all the land therein mentioned for which no defence is taken on the plots returned to the Court here in this Cause, but the said Timothy Troublesome, nor the said Aquila Hall, nor any other person or persons what ever, appear to the declaration aforesaid, nor in any manner make answer thereto as to the land aforesaid, but make default therefore it is considered by the Court here, that the said Henry Goodfight Lessee as aforesaid recover against the said Timothy Troublesome his term aforesaid yet to come and unexpired of in and to, all the land in the declaration aforesaid mentioned, for which no defence hath been taken on the plots returned in this Cause, with the appertunances; and that the said Henry Goodfight Lessee as aforesaid have thereof his possession against the said Timothy Troublesome; whereupon for trying the issues aforesaid within joined, it is ordered by the Court here, that twenty persons, from the pannel of petit Jurors returned to the Court here by the several Sheriffs of the different Counties of the Western Shore, be drawn by ballet, according to the act of Assembly in such case made and provided, and thereupon the twenty persons being so drawn by Ballet, and written upon two lists, one of which said lists is delivered to the Counsel for the Respective parties, and the Counsel for each of the said parties having Strucken out four persons from the said lists, – thereupon the remaining twelve persons being called Come, that is to say William Chandler Brent, Levin Lovington Wailes, William Penn, Henry Queen, John Beard, John Digges, John Lawrence, Ignatius Manning, George Poe, Robert W Fleming, Edward Burgess Junior and Thomas Jones who being empannelled and sworn to say the truth in the premises, upon their oaths do say that the true location of Hills Forrest upon the plats Returned in this cause begins at the letter S upon the said plots and runs to U thence to V thence to W thence to S, and thence the Jurors aforesaid upon their oaths aforesaid further say that the true location of Bullen lot upon the said plots begins at letter A and runs to B thence with the manor line to C thence to D thence

(Come)