

judgment shall be entred against the said def^t Arthur Turner the casual ejector But all further prosecution against him shall cease untill the said James and his wife shall make default in any of the premisses And it is further Ordered by the Court by the consent aforesaid that the Said James and his wife shall not take any advantage against the plaintiff for not prosecuteing upon the tryall occasioned by Such default but that the Said James Neale shall pay to the plaintiff the Costs by this Court to be taxed in this cause And it is further Ordered that the Lessor to the plaintiff shall be charged with the payment of the costs to the def^{ts} if any be by this Court adjudged to them.

Liber M M

Maryland ss.

James Neale late of Charles County Gent and Anna his wife were attached to answer unto Thomas Gibson of a plea wherefore by force and armes into One Messuage One tobacco house and One hundred acres of Land with the appurtenācs lyeing on the west side of Wicocomoco River at a mouth of a branch of the said River called Russells branch in Charles County in the said Province which William Russell in the Said County planter to him the said Thomas Gibson did demise for a terme which is not yet past they did enter and him from his farme aforesaid did eject & other harmes to him they did to the great damage of him the said Thomas Gibson and against the Peace.

And whereupon the said Thomas by Robert Carville his Attorney saith that whereas the aforesaid William Russell the ninth day of March in the yeare of Our Lord One thousand six hundred Seventy three did demise to him the Said Thomas Gibson the messuage and lands aforesaid with the appurtenācs to haue and to hold to him and his assignes from the said ninth day of march in the yeare aforesaid untill the end and terme of One whole yeare from thence next ensuing and fully to be compleate & ended By virtue of which demise the said Thomas Gibson into the messuage & Lands with the appurtenācs did enter & was thereof possessed and he the said Thomas Gibson So thereof being possessed the aforesaid James Neale & Anna his wife by force and armes the Messuage & lands aforesaid with the appurtenācs which the aforesd William Russell to him the said Thomas Gibson in forme aforesaid demised for the terme aforesaid which is not yet past did enter & him from his farme aforesaid did eject & other harmes to him did to the great damage of the said Thomas Gibson & against the Peace &c whereupon he saith he is dampnified & hath losse to the Value of Sixteen thousand pounds of tobacco & thereupon he bringeth his suite

And the said James Neale by Kenelm Cheseldyn his Attorney doth come and defend the force and injury when &c and Saith he is not guilty of the trespas and ejectment aforesaid by him the said Thomas above supposed to be done and of this he putts himself upon the Country and the plaintiff likewise.