Defendant instead of James M'Knitt the tenant in possession and it is granted unto him; and thereupon it is ruled by the court here, with the consent of the aforesaid Frank Fairclaim lessee of the said Jonas Hogmire by his attorney aforesaid and the said Joseph Chapline (who claims the title in question) by his attornies aforesaid, that the said Joseph Chapline be admitted defendant in the place of the now Defendant Tom Blunder 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 Joseph Chapline 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 tenement in the declaration of the aforesaid Frank Fairclaim lessee of the said Jonas Hogmire as is in the possession of the said Joseph Chapline or his tenants or of any other person claiming by or under his title, or in default thereof; that Judgment be entered against the mere defendant Tom Blunder the casual ejector, but that prosecution be stayed against him untill 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 Frank Fairclaim lessee of the aforesaid Jonas Hogmire shall become non suit at the trial the said Joseph Chapline shall take no advantage thereof but shall pay to the said Frank Fairclaim lessee of the said Jonas Hogmire 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 Joseph Chapline or if the said Frank Fairclaim lessee of the said Jonas Hogmire shall not prosecute his declaration upon any other cause than for the not confessing lease, entry and Ouster as aforesaid, then the aforesaid Jonas Hogmire lessee of the aforesaid Frank Fairclaim shall pay costs and so forth: And thereupon the aforesaid Frank Fairclaim lessee of the aforesaid Jonas Hogmire by his attorney aforesaid files in court here his declaration against the said Joseph Chapline in the plea aforesaid in form following, to wit. State of Maryland Western shore Washington county, to wit. Joseph Chapline late of Washington county yeoman was attached to answer unto Frank Fairclaim in a plea wherefore with force and arms at the county of Washington aforesaid into all that tract or parcel of plantable land called Mount Pleasant lying and being in the county aforesaid, with the appurtenances which Jonas Hogmire to him the said Frank demised for a term of years not yet past the the said Joseph did enter and him the said Frank from his farm aforesaid did eject and other wrongs to him the said Frank did to the great damage of him the said Frank and against the peace dignity and government

of the State &c. and whereupon the said Frank by John Thomson Mason his attorney complains that whereas the aforesaid Jonas on the first day of March in the year one thousand seven hundred and ninety nine at the county of Washington aforesaid had demised unto him the said Frank the said premisses with the appurtenances thereunto belonging to have and to hold the same unto him the said Frank from the twenty eighth day of february then last past until the end and term of ten years then next ensuing fully to be completed and ended, by virtue of which said demise the said Frank into the premisses with the appurtenances aforesaid entered and was thereof possessed and being so possessed the said Joseph afterwards, to wit upon the said first day of March in the year aforesaid at the county of washington afoesaid with force and arms &c. into the premisses with the appurtenances aforesaid which the said Jonas to him the said Frank in form aforesaid had demised for a term not yet past, entered and him the said Frank from his farm aforesaid ejected and held out and still does hold out and other harms to him the said Frank then and there did against the peace dignity and government of the State &c. and to the damage of the said Frank in the sum of two hundred pounds current money of Maryland and therefore he brings suit &c.

John T Mason for Pltff John Doe & Richard Roe plegs to prosecute. Whereupon the said Joseph Chapline by his attornees aforesaid defends the force and injury when and so forth, and prays leave of the Court here to imparle until the second tuesday of October next, and to him it is granted, the same day is given to the aforesaid Frank Fairclaim lessee of the aforesaid Jonas Hogmire also. — At which said second of october being the eighth day of the same month, in the year of our Lord one thousand seven hundred and ninety nine, to which said day the said Joseph Chapline had leave to imparle, comes again into the General court here as well the aforesaid Frank Fairclaim lessee of the aforesaid Jonas Hogmire by his attorney aforesaid, as the said Joseph Chapline by his attorney aforesaid; and the said Joseph Chapline by his attornies aforesaid as before defends the force and injury when and so forth, and saith that he is in no wise guilty of the trespass and ejectment aforesaid in manner and form as the aforesaid Frank Fairclaim lessee of the aforesaid Jonas Hogmire above against him hath complained, and of this he puts himself upon the country, and the aforesaid Frank Fairclaim lessee of the aforesaid Jonas Hogmire in like manner and so forth. Therefore let a Jury thereupon appear before the Court here on the second tuesday of may next, by whom and so forth, and who neither and so forth, to recognize and so forth, because as well and so forth, the same day is given to the parties aforesaid then and there so forth. — And now at this day, to wit the said second tuesday of may being the thirteenth day of the same month, in the year of our Lord one thousand eight hundred and