for a term which is not yet expired and ejected him from the said tract or parcel of land and other wrongs to him did to the great damage of the said Richard and against the peace of the State of Maryland and so forth. and whereupon the the said Richard Smith by John Johnson his attorney complains that whereas the said Walter Brookes on the first day of June in the year seventeen hundred and ninety three at Montgomery county aforesaid had demised to the said Richard the tract or parcel of land aforesaid with the appurtenances to have and to hold the said tract of land with the appurtenances from the day and year aforesaid to the end and term of twenty years from thence next following fully to be complete and ended by virtue of which demise the said Richard entered and was thereof possessed and being so possessed the said George afterwards to wit, on the third day of June in the year aforesaid with force and arms, to wit, with swords clubs and so forth entered into the said tract or parcel of land with the appurtenances which the said Walter demised to the said Richard for the term aforesaid which is not yet expired and ejected him out of the same and other wrongs to him did to the great damage of the said Richard and against the peace of the State of Maryland wherefore the said Richard says he is the worse and has damage to the value of five hundred pounds current money and therefore he brings suit and so forth. —

Jn: Johnson pledges for Plff: P. Jno. Doe & Rich. Roe.

Mr. James Wallace:

I am informed you are in possession of or claim title to the premises in this declaration of ejectment or to some part thereof, and I being sued in this action as a casual ejector and having no claim or title to the same do advise you to appear next May term in the General court for the western shore of Maryland to be held in the city of Annapolis by some Attorney of that court and there and then a rule to be made of the same court to cause yourself to be made Defendant in my stead otherwise I shall suffer Judgment to be entered against me and you will be turned out of possession

Yours. George Saunders.

A copy of which said declaration and notice was made and sent to the Sheriff of Montgomery county aforesaid: thereon endorsed: "To be served on the defendant, tenant in possession or set up on the premises, at least eight before court." At which mentioned second tuesday of may being the thirteenth day of the said month, in the year of our Lord one thousand eight hundred, and the day of the return of the service of the aforegoing declaration in ejectment, comes into the General court here the said Richard Smith Lessee of the said Walter Brookes by John Johnson his attorney aforesaid: and the Sheriff of Montgomery county, to wit Benjamin White Jones, Gentleman, to whom a copy of the said declaration

in ejectment and notice as aforesaid was in form aforesaid made and sent, certifies his service thereof to the court here in form following to wit:

served on James Wallace Jan 7/28. 1800: Benj. W. Jones Shff.

Whereupon the said Richard Smith Lessee as aforesaid by his attorney aforesaid prays that the said George Saunders the defendant, the said James Wallace the tenant in possession of the premises aforesaid, or those under whom he claims, to this declaration aforesaid may appear and answer: Thereupon James H. Blake, landlord of the premises in question, comes here into court by John Thomson Mason and John Mitchell Gantt his attornies; thereupon, on motion of the said James H. Blake by his attornies aforesaid, it is ordered by the court here, that the said James H. Blake, landlord of the said premises in question, be joined and made defendant, together with James Wallace tenant in possession of the said premises, in the common rule by consent in ejectment, instead of the casual ejector in case the said James Wallace shall appear: And it is further ordered, that in case the said James Wallace shall neglect to appear; the said James H. Blake may appear by himself, and defend his title to the premises in question, or of such part thereof for which he shall hereafter take defence, pursuant to the statute, he hereby consenting to enter into the like rule, that the said James Wallace by the course of the court, in case he had appeared, ought to have done, nevertheless the Plaintiff shall be at liberty to sign Judgment against the casual ejector, but execution is hereby stayed until this court shall make further order therein: and by consent of the said James H. Blake by his attornies aforesaid, it is further ordered that the said James H. Blake upon the trial to be had shall admit himself to be in the actual possession of the said premises, or of such part thereof for which he shall hereafter take defence; but the said George Saunders the defendant, nor the said James Wallace the tenant in possession, do not, nor does either of them appear to the declaration aforesaid: Thereupon it is ordered by the court here, with the consent of the said Richard Smith Lessee as aforesaid, by his attorney aforesaid, and of the said James H. Blake (who claims title to the land and premises in question, or of some part thereof) by his attornies aforesaid, that the said James H. Blake shall be admitted defendant, and that the said James H. Blake shall immediately appear, by his said attornies who shall receive a declaration to be filed anew in the premises, and plead thereto the general issue, and that at the trial to be had thereon shall appear in his proper person, or by his attorney, and confess lease, entry and ouster, of so much of the land and premises specified in the declaration aforesaid as are in the possession of the said James H. Blake or his tenant, or any person claiming by or under his title, or for which the said James H. Blake shall hereafter take defence, or that in default thereof, Judgment shall be thereupon entered against the defendant George Saunders the casual Ejector: but proceedings shall be stayed against