thereof, and being sued in this action as casual Ejector, and having no claim or title to the said premises; do advise you to appear in the General Court to be held for the Western Shore at the City of Annapolis on the second Tuesday in May next by some attorney of that Court, and then and there, by rule of the same Court, 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.

Sam. Yr. obt Servt

Timothy Notitle

To

Mr. Elie Lanham, Tenant in possession of the premises or of some part thereof

30th November 1801.

A Copy of which said Declaration and notice was made and sent to the Sheriff of Prince Georges County aforesaid, thereon endorsed, "To be served on the defendant, the Tenant in possession, or set up on the premises at least eight days before Court"

At which mentioned second Tuesday of May, being the eleventh day of the said month in the year of our Lord one Thousand Eight hundred and two, and the return day of the service of a Copy of the aforegoing Declaration, comes into the General Court here the said John Goodtitle Lessee of the said Francis Tolson by Thomas Buchanan his attorney aforesaid; And the Sheriff of Prince Georges County aforesaid, towit, Thomas Macgill, Gentleman, to whom a Copy of the said declaration in Ejectment and notice aforesaid, was in form aforesaid made and sent, certifies to the Court here the service thereof in form following, towit: "Service December 4th 1801 Thomas Macgill Shff"

Whereupon the said John Goodtitle Lessee as aforesaid by his attorney aforesaid, prays that the said Timothy Notitle, the defendant, the said Elie Lanham the tenant in possession of the said premises or those under whom he claims to the Declaration aforesaid may appear; and thereupon the said Elie Lanham by John Thomson Mason his attorney, in pursuance of the notice aforesaid, comes into Court here; Whereupon it is ruled by the Court here, with the consent of the said John Goodtitle Lessee as aforesaid, by his attorney aforesaid, and the said Elie Lanham, (who claims the title in question, by his attorney aforesaid, that the said Elie Lanham be admitted Defendant in the place of the now Defendant Timothy Notitle, the Casual Ejector, and that he immediately received a declaration, and plead thereto the general

issue, and at the trial thereon to be had, the said Elie Lanham 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 tenements in the Declaration of the said John Goodtitle lessee as aforesaid, as is in the possession of the said Elie Lanham or his Tenants, or of any other person claiming by or under his title, or in default thereof, that Judgment be entered against the now defendant Timothy Notitle the Casual Ejector, but that prosecution be staid against him until 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 said John Goodtitle Lessee as aforesaid, shall become nonsuit at the trial, the said Elie Lanham shall take no advantage thereof but shall pay to the said John Goodtitle 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 Elie Lanham or if the said John Goodtitle 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 Francis Tolson Lessor of the aforesaid John Goodtitle shall pay costs, &c. And thereupon the aforesaid John Goodtitle Lessee as aforesaid by his attorney aforesaid, declares against the said Elie Lanham in the plea aforesaid in manner and form following, towit

Western Shore, State of Maryland, Prince Georges County, to wit

Elie Lanham late of Prince Georges County planter was attached to answer unto John Goodtitle in a plea wherefore with force and arms &c. at Prince Georges County aforesaid, he entered into all that tract or parcel of plantable Land called Tolsons Enlargement lying and being in Prince Georges County aforesaid, containing one hundred acres, with the appurtenances which Francis Tolson demised, to the said John for a term of years, which is not yet expired, and ejected him from his said farm and other wrongs to the said John there did to the great damage of the said John and against the peace, government and dignity of the State, &c. And Whereupon the said John by Thomas Buchanan his attorney complains, that the said Francis Tolson, heretofore, towit, on the tenth day of September in the year of our Lord Eighteen hundred and one at Prince Georges County aforesaid, had demised to the said John all that the said tract or parcel of plantable Land called Tolson's Enlargement lying and being