between John Denn lessee of William Lamar plaintiff, and John Kimberly of Michael defendant, and wherein the said County court gave judgment for the said John Denn lessee as aforesaid against the said John Kimberly of Michael and from which said judgment the said John Kimberly of Michael appealed unto the Court of appeals here the tenor of which said record of proceedings is in form following, to wit

State of Maryland Allegany County to wit

At a County Court of the fifth Judicial District of the State of Maryland begun and held at the Court house in the Town of Cumberland in and for Allegany County on the third monday of april and twentieth day of the same month in the year of our Lord Eighteen hundred and eighteen.

Were Present

The Honorable | John Buchanan Esquire chief Judge
| Thomas Buchanan Esquire associate Judges

William R Dawson Esquire Sheriff. Aza Beall, Clk.

Amongst the Records and proceedings of said Court was the following to wit:

William Lamars Lessee
vs
John Kimberly of Michael

Be it Remembered that heretofore to wit on the twenty first day of April in the year of our Lord eighteen hundred and seventeen John Denn lessee of William Lamar by Beal Howard Esquire his attorney declared in the County court here against Richard Fenn in a plea of trespass and ejectment with a notice thereto annexed in manner and form following to wit

State of Maryland, Allegany County to wit Richard Fenn late of Allegany County yeoman, was attached to answer unto John Denn in a plea wherefore with force and arms &c at Allegany County aforesaid he entered into that lot or parcel of plantable land situate lying and being in Bealls first addition to Cumberland and known upon the plot of the Town of Cumberland by lot number thirty two lying and being in Allegany County aforesaid with the appertenances which William Lamar demised to the said John for a term of years which is not yet expired and ejected him from his said lot or parcel of plantable land as aforesaid described 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 Beal Howard his attorney complains that the said William Lamar heretofore to wit on the first day of January in the year of our Lord Eighteen hundred and ten at Allegany County aforesaid had demised to the said John all that the said lot or parcel of plantable land situate lying and being in Bealls first addition to Cumberland and known and distinguished on the plot of the town of Cumberland by lot number thirty

two lying and being in the County aforesaid with the appurtenances To Have and To Hold the same to the said John and his assigns from the thirty first day of December then last past for and during and unto the full end and term of fifteen years from thence ~~thence~~ ensuing and fully to be complete and ended by virtue of which said demise the said John entered into the said lot or parcel of plantable land situate lying and being in Bealls first addition to Cumberland and known and distinguished on the plot of the town of Cumberland by lot number thirty two with the appurtenances and was possessed thereof and being so possessed thereof the said Richard afterwards to wit on the said first day of January in the year eighteen hundred and ten with force and arms that is to say with swords staves and knives at the County aforesaid entered into the said lot or parcel of plantable land as aforesaid described with the appurtenances which the said William Lamar had demised to the said John in manner aforesaid for the term aforesaid which is not yet expired and ejected the said John from his said lot or parcel of plantable land and other wrongs to the said John then and there did to the great damage of the said John and against the peace government and dignity of the State &c wherefore the said John saith he is injured and hath sustained damage to the value of five thousand dollars current money and therefore he brings his suit &c.

John Doe & Richard Roe.

Beal Howard for plff pledges &c

Sir

I am informed that you are in possession of or claim title to the premises in this declaration mentioned, or some part thereof, and I being sued in this action as the casual ejector, and having no claim or title to the same premises do advise you to appear in Allegany County Court to be held at the Court House in the Town of Cumberland on the third monday of april instant by some attorney of that Court and then and there by rule 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.

I am your loving friend. Richard Fenn apl 3d 1819

To John Kimberly of Michael tenant in possession of the premises or some part thereof

A copy of which said declaration and notice was made and sent to the sheriff of Allegany County aforesaid thereon endorsed to be served on the defendant tenant in possession or stuck up on the premises.

At which mentioned third monday of april being the twenty first day of the said month in the year of our Lord eighteen hundred and seventeen and the day of the return of the service of the aforegoing declaration in ejectment comes into the County court here the said John Denn lessee of the said William Lamar by Beal Howard his attorney aforesaid and the sheriff of Allegany County to whom a copy of the said