fully to be compleat and ended by virtue of which said demise the said John entered into the said tract or parcel of land with the appurtenances and was possessed thereof and being so possessed thereof the said Richard afterwards to wit on the said first day of April in the year of our Lord one thousand eight hundred and seven aforesaid with force and arms that is to say with swords staves and knives at the County aforesaid entered into the said tract or parcel of plantable land with the appurtenances which the said Joseph Chapline had demised to the said John in manner aforesaid for the term aforesaid which is not expired and ejected the said John from his said farm 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 damage to the value of two thousand dollars and therefore he brings his suit &c

Samuel Hughes Jr Pltfs attorney pledges John Doe & Richard Roe

Sir

I am informed that you are in possession or claim title to the premises in this declaration mentioned or to some part thereof and I being sued in this action as a casual ejector and having no claim or title to the said premises do advise you to appear in Washington County Court to be held at Elizabeth Town in the County aforesaid on the fourth monday in March next 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

To Mr Jacob Houser 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 Washington County aforesaid thereon endorsed to be served on Jacob Houser tenant in possession of the premises at least eight days before the return for plea or judgment.

At which mentioned fourth monday of March being the twenty third day of the same month in the year of our Lord

one thousand eight hundred and twelve and the return day of the service of the copy of the aforegoing declaration comes into Court here the said John Denn lessee of the said Joseph Chapline by his attorney aforesaid and the sheriff of the County aforesaid to wit: Matthias Shaffner 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

Service 4th March 1812 Matthias Shaffner sheriff

Whereupon the said John Denn lessee of the said Joseph Chapline by his attorney aforesaid prays that the defendant, the tenant in possession of the premises aforesaid or those under whom he claims to his declaration aforesaid may appear and answer, and thereupon the said Jacob Houser by Roger B Taney 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 Denn Lessee as aforesaid by his attorney aforesaid and the said Jacob Houser (who claims the title in question) by his attorney aforesaid, that the said Jacob Houser be admitted defendant in the place of the now defendant Richard Fenn the casual ejector and that he immediately receive a declaration and plead thereunto the general issue and at the trial thereon to be had the said Jacob Houser 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 lands and premises in the declaration of the said John Denn lessee as aforesaid as is in the possession of the said Jacob Houser or any other person claiming by or under this title or in default thereof that judgment may be entered against the now defendant Richard Fenn the casual ejector but that prosecution be stayed 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 Denn lessee as aforesaid shall become nonsuit at the trial the said Jacob Houser shall take no advantage thereof but shall pay to the said John Denn lessee as aforesaid