I am informed that you are in possession of or claim title to the premises in declaration now 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 the County Court of Prince George's County to be held in Upper Marlboro on the first monday of april next by some attorney of Court 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

To Thos Tyler tenant in possession of the premises or of some part thereof

I am your loving friend
Richard Fenn March 15th 1822.

A copy of which said declaration and notice was made and sent to the Sheriff of Prince George's County aforesaid thereon endorsed to be served on the defendant in possession or set up on the premises at least eight days before Court exclusive of the day of service or setting up and the day of return.

At which the mentioned first monday in april being the day of the same month in the year of our Lord one thousand eight hundred and twenty five and the day of the return of the service of the aforegoing declaration in an ejectment comes into the County Court here the said John Denn lessee of the said William D Diggs by Enoch Magruder and John Key Bowie his attorneys and the Sheriff of the County aforesaid to wit Thomas Osborne gentleman to whom a copy of the said declaration in ejectment and notice as aforesaid was in form aforesaid made and delivered is this his service thereof to the Court here in form following to wit:

William D Diggs vs Thos Tyler tenant &c

To be served on the Defendant or set up on the premises at least eight days before Court exclusive of the days of service or setting up and the day of the return.

Service in time. Thos Osborne Shff.

Whereupon the said John Denn lessee as aforesaid by his attorney aforesaid prays that the said Richard Fenn the defendant the said Thomas Tyler be left in possession of the said premises or those under whom he claims the declaration in aforesaid may appear and thereupon the said Thomas Tyler by Ashton Alexander Magruder and Julius Forrest his attorneys in pursuance of the notice aforesaid comes here into Court here upon 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 Thomas Tyler (who claims the title in question) by his attorney that the said Thomas Tyler be admitted defendant in the place of the now defendant Richard Fenn the casual ejector and that he imparlance receive a declaration and plead thereto the general issue and at the trial thereon to be had the said Thomas Tyler shall not deny and confess the lease entry and actual ouster and

expulsion of so much of the tenements in the declaration of the said John Denn lessee as aforesaid as is in the possession of the said Thomas Tyler 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 Richard Fenn 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 the consent of the counsel that if by reason of such default the said John Denn lessee as aforesaid shall become nonsuited at the trial the said Thomas Tyler shall take no advantage thereof but shall pay to the said John Denn 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 Thomas Tyler or if the said John Denn 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 William D Diggs lessor of the aforesaid John Denn shall pay costs &c and thereupon the aforesaid John Denn lessee as aforesaid by Enoch Magruder one of his attorneys aforesaid declares against the said Thomas Tyler in the plea aforesaid as follows to wit:

Prince George's County set. Thomas Tyler late of Prince George's County and State of Maryland was attached to answer unto John Denn in a plea wherefore with force and arms in Prince George's County aforesaid he entered into all that tract or parcel of land called Frankland lying and being in Prince George's County aforesaid containing 800 acres with the appurtenances which William D Diggs 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 then and there did to the great damage of the said John and against the peace government and dignity of the State of Maryland and whereupon the said John by Enoch Magruder his attorney complains that the said William D Diggs heretofore to wit on the first day of January in the year of our Lord 1822 in Prince George's County aforesaid had demised to the said John all that the said tract or parcel of plantable land called Frankland lying and being in the County aforesaid containing 800 acres with the appurtenances. To Have and To Hold 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 next ensuing and fully to be complete and ended by virtue of which said demise the said John entered into the said tract or parcel of plantable land with the appurtenances and was possessed thereof and being so possessed thereof the said Thomas Tyler afterwards to wit on the said first day of January in the year 1822 with force and arms that is to say with swords staves and knives in the County aforesaid entered into the said tract or parcel