said John Doe by J. Meredith his attorney complains. That whereas the said John S Donnell, James I S Donnell and William Donnell on the first day of July in the year eighteen hundred and thirty at the county aforesaid, had demised to the said John Doe the said tenements with the appurtenances. To have and to hold the same, to the said John Doe and his assigns from the thirtieth day of June in the year aforesaid, for and during and unto the full end and term of seven years from thence next ensuing, and fully to be complete and ended. By virtue of which said demise, the said John Doe entered into the said tenements with the appurtenances and became and was possessed thereof, for the said term so to him thereof granted as aforesaid. And the said John Doe being so thereof possessed, the said Richard Roe afterwards to wit, on the first day of June in the year aforesaid with force and arms &c entered into the said tenements with the appurtenances, in which the said John Doe was so interested, in manner and for the term aforesaid, which is not yet expired, and ejected the said John Doe from his said farm, and other wrongs to the said John Doe there did to the great damage of the said John Doe and against the peace government and dignity of the State of Maryland. Whereupon the said John saith that he is injured and hath sustained damage to the value of one thousand dollars and therefore he brings his suit &c. J. Meredith. R. B. Magruder

Attorneys for the plaintiff.

Mr John Gooding. I am informed that you are in possession or claim title to the premises in this declaration of ejectment mentioned, or to some part thereof, and I being sued in this action as a casual ejector only and having no claim or title to the same, do advise you to appear on the first day of April next in Baltimore County Court at the Court house in the said County 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 therein to be entered against me by default, and you will be turned out of possession. Dated this twenty sixth day of October in the year of our Lord Eighteen hundred and thirty.

Your loving friend Richard Roe.

A copy of which said declaration and notice was made and sent under seal to the Sheriff of Baltimore County aforesaid thereon endorsed "to be served on tenant in possession — if no tenant to be set up on the most conspicuous part of the premises at least eight days before the sitting of the Court.

At which mentioned first day of April Term, in the year of our Lord one thousand eight hundred and thirty one, being the return day of the service of a copy of the aforegoing declaration in ejectment come into the County Court here the said John Doe Lessee as aforesaid by his attorneys aforesaid. And the Sheriff of Baltimore County aforesaid, touching the copy of the declaration in ejectment and notice as aforesaid was in manner aforesaid sent, certifies to the Court here the service thereof in form following to wit "Served on Def.t tenant in possession the 21st of March 1831 Henry Green Shff."

Whereupon the said John Doe Lessee as aforesaid by his attorney aforesaid prays that the said Richard Roe the defendant, the said John Gooding, the tenant in possession of the said premises or those under whom he claims to the declaration aforesaid may appear. And thereupon the said John Gooding, by Reverdy Johnson 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 Doe Lessee aforesaid by his attorney aforesaid, and the said John Gooding (who claims the title in question) by his attorney aforesaid, that the said John Gooding be admitted defendant in the place of the now defendant Richard Roe the casual ejector, and that he immediately receive a declaration and plead thereto the general issue, and at the trial thereon to be had, the said John Gooding shall appear in his proper person, or by his attorney or Counsel, and confess the lease entry and actual ouster and dispossession of so much of the tenements in the declaration of the said John Doe Lessee as aforesaid as is in the possession of the said John Gooding 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 Roe 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 Doe Lessee as aforesaid shall become non suit at the trial, the said John Gooding shall take no advantage thereof, but shall pay to the said John Doe Lessee as aforesaid his costs and so forth. 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 John Gooding, or if the said John Doe 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 John S Donnell, James I S Donnell and William Donnell Lessors of the said John Doe, shall pay costs and so forth. And thereupon the said John Doe Lessee as aforesaid by his attorney aforesaid declared against the said John Gooding in the plea aforesaid as follows to wit. Baltimore County, to wit. John Gooding was attached to answer John Doe of a plea whereof he the said John Gooding with force and arms &c entered into all that tract or parcel of land called "Jacks Double Purchase" containing two hundred and three acres and one half of an acre; and also all that tract or parcel of land called "Jacks place or Jacks Choice" containing one hundred and fifteen acres, with the appurtenances, situate and being in Baltimore County aforesaid, which John S Donnell, James I S Donnell and William Donnell had demised to the said John Doe for a term which is not yet expired, and ejected him from his said farm and other wrongs to the said John Doe there and then did to the great damage of the said John Doe and against the peace government and dignity of the State of Maryland &c. And thereupon the said John Doe by J. Meredith his attorney complains, that whereas the said John S Donnell, James I S Donnell and William Donnell on the first day of July in the year eighteen hundred and thirty at the County aforesaid had demised to the said John Doe, the said tenements with the appurtenances, To have and to hold the same to the said John Doe and his assigns from the thirtieth day of June in the year aforesaid for and during and unto the full end and term