## December Term 1839.

Independence of the United States of America

Present

The Hon.ble | Thomas Beale Dorsey Esquire chief Judge
Thomas H. Wilkinson and
Nicholas Brewer Junior | Esq.rs Associate Judges.

John S Selby, Esquire Sheriff.
William S. Green, Clk.

In the record of proceedings of the same court among others is the following to wit.

Sarah Ward Smith Boston and Elizabeth his wife Stephen Queen and Sophia his wife and Martha Ward's Lessee.
against
Henry Matthews.

Be it remembered, That heretofore to wit on the twelfth day of August in the year of our Lord one thousand eight hundred and thirty seven Richard Roe Lessee of Sarah Ward Smith Boston and Elizabeth his wife Stephen Queen and Sophia his wife and Martha Ward by John Johnson his attorney declared in the County Court here against John Doe in a plea of trespass and ejectment with a notice thereto annexed in form following to wit.

State of Maryland Anne Arundel County to wit. John Doe late of Anne Arundel County yeoman was attached to answer unto Richard Roe in a plea wherefore with force and arms at the County aforesaid he the said John entered into all that lot piece or parcel of ground situate and being in the City of Annapolis in the County aforesaid which was formerly occupied by Captain James West as a Tavern and described as follows, Beginning at a Brick partition wall on Church Street in said City about midway the House then running up with Church Street till it intersects the line of a lot of land formerly belonging to Charles Stewart deceased then running with said lot northerly till it intersects the State House circle then running with the outside brick wall to the second pillar in said wall where stands a post then by a straight line drawn to a partition brick wall running through the middle of a meat House including one half of said meat house then with the said wall through the dwelling House to the beginning including the west end of said house and lot together with appurtenances buildings and improvements thereon which Sarah Ward Smith Boston and Elizabeth his wife Stephen Queen and Sophia his wife and Martha Ward an infant by her next friend Sarah Ward to the said Richard demised for a term of years which is not yet expired and him the said Richard from his said premises ejected and other wrongs to the said Richard there did to the great damage of the said Richard and against the peace government and dignity of the State. And whereupon the said Richard by John Johnson his attorney complains that the said Sarah Ward Smith Boston and Elizabeth his wife Stephen Queen and Sophia his wife and Martha Ward an infant by Sarah Ward her next friend heretofore to wit. on the ninth day of August in the year eighteen hundred and thirty seven at the County aforesaid had demised to the said Richard all that lot piece or parcel of ground situate lying and being in the City of Annapolis in the County aforesaid which was formerly occupied by Captain James West as a tavern and described as follows. Beginning at a brick partition wall on Church Street about midway the house then running up with Church Street till it intersects the line of a lot of land formerly belonging to Charles Stewart deceased then running with said lot northerly till it intersects the State House circle then running with the outside brick wall to the second pillar in said wall where stands a post then by a straight line drawn to a partition brick wall running through the middle of a meat house including one half of said meat house then with the said wall through the dwelling house to the beginning including the west end of said house and lot with the appurtenances buildings and improvements thereon To Have and To Hold the same to the



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said Richard and his assigns from the eighth day of August then 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 Richard entered into the said lot piece or parcel of ground with the appurtenances and was possessed thereof and being so possessed thereof the said John afterwards to wit on the said day and year first aforesaid with force and arms that is to say with sticks and staves at the County aforesaid entered into the said lot piece or parcel of ground with the appurtenances which had been demised to the said Richard in manner aforesaid for the term aforesaid and ejected the said Richard therefrom and other wrongs to the said Richard then and there did to the great damage of the said Richard and against the peace government and dignity of the State whereforeof the said Richard saith he is injured and hath damage to the value of one hundred dollars current money and therefore he brings suit &c.

J. Johnson, Pltffs Atty.

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 same premises do advise you to appear in Anne Arundel County court on the fourth Monday of October 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 yours &c. John Doe.

To Henry Matthews tenant in possession of the premises or of some part thereof.

A copy of which said declaration and notice was made and sent to the Sheriff of Anne Arundel County aforesaid thereon endorsed To be served on the defendant tenant in possession or set upon the premises at least eight days before court.

At which mentioned fourth Monday of October being the twenty third day of the same month in the year of our Lord one thousand eight hundred and thirty seven and the return day of the service of a copy of the aforegoing declaration comes into the County court here the said Richard Roe Lessee of the aforesaid Sarah Ward Smith Boston and Elizabeth his wife Stephen Queen and Sophia his wife and Martha Ward by his attorney aforesaid and the Sheriff of Anne Arundel County aforesaid to wit John S Selby 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 to wit. Served and Copy left August 11th 1837 - John S Selby Shff.

Whereupon the said Richard Roe Lessee as aforesaid by his Attorney aforesaid prays that the said John Doe the defendant the said Henry Matthews the tenant in possession of the said premises or those under whom he claims to the declaration aforesaid may appear and thereupon the said Henry Matthews by Thomas S Alexander 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 Richard Roe Lessee as aforesaid by his attorney aforesaid and the said Henry Matthews (who claims the title in question) by his attorney aforesaid that the said Henry Matthews be admitted defendant in the place of the now defendant John Doe (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 Henry Matthews 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 Richard Roe Lessee as aforesaid as is in the possession of the said Henry Matthews 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 John