and then and there by rule of the same Court to cause yourself to be made defendant in my stead otherwise I shall suffer Judgement to be entered against me and you will be turned out of possession —

To
Mr. Edward Hines Tenant in possession of the premises or of some part thereof

I am your Loving friend
Richard Roe
September 6th 1834

A copy of which said declaration and notice was made out and sent to the Sheriff of Kent County aforesaid thereon endorsed to be served on the Tenant in possession Six days before Court exclusive of day of service and day of return, at which mentioned this Monday of September being the Twentieth day of the same month in the year eighteen hundred and thirty and the return day of the service of a copy of the aforegoing declaration Comes again into the County Court the said John Doe lessee of the said Benjamin T. Dulaney and Eliza Dulaney his wife and Maria H. Dorrington by his attorney aforesaid and the Sheriff of Kent County aforesaid Court Joseph Reduc Esquire 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

Kent County Sc: I hereby certify to the Honorable the County Court within mentioned, that I did, on the eleventh day of September in the year Eighteen hundred and thirty serve Edward Hines and Sarah Fields Tenants in possession of the premises mentioned in the declaration hereunto annexed, or some part thereof with a true copy of the declaration and notice thereunder written and hereunto annexed and at the same time I acquainted the said Edward Hines and Sarah Fields of the intent and meaning of the said declaration and notice thereunder written —

To answer Joseph Reduc Shff.

Whereupon the said John Doe Lessee as aforesaid by his attorney aforesaid prays that the said Richard Roe the defendant the said Edward Hines and Sarah Fields the tenants in possession of the said premises or those under whom he claims, to the declaration aforesaid may appear and thereupon the said Edward Tilghman by John T. Eccleston and William Carmichael Esquires 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 as aforesaid by his attorney aforesaid, and the said Edward Tilghman who claims the title in question by his attorney aforesaid that the said Edward Tilghman 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 Edward Tilghman shall appear in his proper person, or by his attorney a counsel and confess the lease entry and actual ouster and expulsion of so much of the Tenements ~~of the~~ in the declaration of the said John Doe lessee as aforesaid as is in the possession of the said Edward Tilghman 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 staid against him until he make 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 nonsuit at the trial, the said Edward Tilghman shall no advantage thereof but shall pay to the said John Doe 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 Edward Tilghman 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 Benjamin T. Dulaney and Eliza his wife and Maria H. Dorrington lessors of the aforesaid John Doe shall pay costs &c. and the said Edward Tilghman by his attorney aforesaid defends the force and injury &c. and takes defence according to his pretentions as they shall appear to be laid down on the return of a warrant of resurvey to be issued in this cause and says that he is not Guilty of the Trespass and ejectment aforesaid in the declaration aforesaid mentioned in manner and form as the said John Doe lessee as aforesaid above complains against him and of this he puts himself upon the Country and the said John Doe in like manner: and thereupon on motion of the said John Doe lessee as aforesaid by his attorney aforesaid it is ordered by the Court here that the writ of the State of Maryland of warrant of resurvey issue in this cause: and the same accordingly issues directed to the Sheriff of Kent County in form following to wit.

Maryland Kent County Sc.

State of Kent County Court

The State of Maryland to the Sheriff of Kent County Greeting. Whereas at a County Court begun and held at the Courthouse in Chester Town, in and for said County of Kent on the third monday of September in the year of our Lord Eighteen hundred and thirty it was so far proceeded in a certain plea of Trespass and ejectment in the said Court depending between a certain John Doe lessee of Benjamin T. Dulaney and Eliza his wife and Maria H. Dorrington Plaintiffs and a certain Edward Tilghman Defendant that it was considered absolutely necessary for the better information of the said Court and the Jury in the trial of the premises that all that tract or parcel of land called "Bennetts Tow" lying and being in Kent County aforesaid containing fourteen hundred acres be carefully resurveyed and laid out according to the ancient metes and bounds thereof as in the Original Certificate of resurvey thereof is expressed, to the end that the said Lands in controversy and the claims and pretences of both parties may more plainly and indifferently appear to the Court and Jury: Therefore you the said Surveyor in the presence of you the said Sheriff are hereby commanded carefully to resurvey and lay out, as well the said Lands in dispute as any other Lands adjacent thereto which shall be thought necessary by the said plaintiff or defendant to be laid out for the better elucidation of the matter according to the claims and pretentions of the Plaintiffs in the presence of the defendant if he being summoned think fit to be present, and without interruption of him the said defendant or if absent notice to be left at his residence or last place of abode: and likewise survey and lay out the same Lands in dispute aforesaid according to the claims and pretentions of the Defendant in the presence of the Plaintiffs if they being summoned think fit to be present, and that