damage to the value of ten thousand dollars and therefore he brings suit &c.

William B. Stone, plaintiffs Attorney.

The following is the Notice aforesaid to wit:

"Sir. I am informed that you are in possession of or claim title to the premises in this declaration mentioned or to some part thereof and I being sued in this action as casual ejector and having no claim or title to the same premises do advise you to appear in Charles County Court on the third Monday of 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 &c. John Doe.

To Thomas A. Davis, 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 Charles County aforesaid, thereon endorsed "to be served on the tenant in possession of the premises mentioned in the within declaration or set up on the premises at least ten days before the third Monday in August Inst."

At which mentioned third Monday of August being the 17th day of the same month in the year of our Lord one thousand eight hundred and forty, and the return day of the service of the copy of the aforegoing declaration, comes into the County Court here the said Richard Roe Lessee of the said James Key, by his attorney aforesaid and the Sheriff of Charles County aforesaid to wit: Edward R. Wheeler Gentleman to whom a copy of the said declaration in ejectment and notice aforesaid was in form aforesaid made and sent, makes return thereof to the Court here in form following to wit: "I hereby certify to the Honorable, The Judges of Charles County Court, that the copy of the declaration and notice hereunto annexed were delivered so late to me that from the shortness of the time I could not proceed to the service thereof as by the same I am commanded.

E. R. Wheeler, Shff."

And the said Thomas A. Davis doth not come, Thereupon other copies of said declaration and notice were made and sent to the sheriff of Charles County aforesaid thereon endorsed "to be served on the tenant in possession of the premises mentioned in the within declaration or set up on the premises at least ten days before the third Monday of March next.

At which mentioned third Monday of March being the twenty first day of the same month in the year of our Lord one thousand eight hundred and forty one, and the return day of the service of a copy of the aforegoing declaration, comes into the County Court here, Richard Roe Lessee of the said James Key by his attorney aforesaid, and the sheriff of Charles County aforesaid to wit: Edward R. Wheeler 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:

"Maryland Charles County to wit:

I hereby certify to the Hon'ble the Judges of Charles County Court that, I did on the ___ day of ___ serve Thomas A. Davis Tenant in possession of the premises mentioned in the declaration hereunto annexed or some part thereof with a true copy of the declaration and notice thereunto written and hereunto annexed, and at the same time I read to him the notice thereunder written, or acquainted the said Thomas A. Davis of the intent and meaning of the said declaration and notice thereunder written.

E. R. Wheeler, Shff.

Whereupon the said Richard Roe Lessee as aforesaid by his attorney aforesaid prays that the said John Doe the defendant the said Thomas A. Davis the tenant in possession of the said premises or a part thereof, or those under whom he claims to the declaration aforesaid may appear.

And thereupon the said Thomas A. Davis by Walter Mitchell 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 Thomas A. Davis, who claims the title in question by his attorney aforesaid, that the said Thomas A. Davis 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 Thomas A. Davis shall appear in his proper person or by his attorney or counsel and confess the release 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 Thomas A. Davis 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 Doe, 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 consent of counsel that if by reason of such default the said Richard Roe Lessee as aforesaid shall become non suit at the trial the said Thomas A. Davis shall take no advantage thereof but shall pay to the said Richard Roe, 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 Defendant or if the said Richard Roe Lessee as aforesaid shall not prosecute his declaration upon any other cause than for the not confessing release entry and ouster as aforesaid then the said Richard Roe, Lessee of the said James Key shall pay costs &c.

And thereupon the said Richard Roe, Lessee as aforesaid by his attorney aforesaid, declares against the said Thomas A. Davis in the plea aforesaid as follows to wit:

"Charles County to wit. Thomas A. Davis late of Charles County, "Yeoman was attached to answer unto Richard Roe in a plea wherefore "with force and arms &c." at the County aforesaid he entered into all those three several tracts or parcels of plantable land called "Betty's Delight" "St. Nicholas Round Hills" and "Chandlers Hills" lying and being in the County aforesaid, containing five hundred acres, with the appurtenances which James Key demised to the said Richard, and for a term of years which is not yet expired, and ejected him from his said farm and other wrongs to the said Richard did there to the great damage of the said Richard and against the peace government and dignity of the State &c.

And wherefore the said Richard by William B. Stone his attorney complains that the said James Key heretofore to wit, on the first day of January in the year of our Lord eighteen hundred and forty at the County aforesaid had demised to the said Richard, nine undivided tenth parts of all those said three several tracts or parcels of plantable Land called "Betty's Delight" "St Nicholas Round Hills and Chandlers Hills, lying and being in the County aforesaid, containing five hundred acres, with the appurtenances to have and to hold the same to the said Richard and his assigns from the thirtieth