plains that the said James Swan, John Swan, Charles F. B. Swan, Robert Swan and Mary E. F. Swan (by her next friend Edwin M. Lower) heretofore to wit: on the 2d day of April in the year eighteen hundred and forty nine, at the County aforesaid, had demised to the said Richard all that the said tract or parcel of plantable land, called "Skipnish" lying and being in the County aforesaid containing eight hundred and eighty eight acres and one half of an acre, with the appurtenances, to have and to hold the same to the said Richard and assigns from the 2d day of April then past, for and during, and unto the full end and term of fifteen years from thence next ensuing and fully to be completed and ended, by virtue of which said demise, the said Richard entered into the said tract or parcel of plantable land 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 aforesaid tract or parcel of plantable land, with the appurtenances which the said James Swan, John Swan, Charles F. B. Swan Robert Swan and Mary E. F. Swan (by her next friend Edwin M. Lower,) had demised to the said Richard in manner aforesaid, for the term aforesaid, which is not yet expired, and ejected the said Richard from this farm 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 &c. Wherefore the said Richard saith he is injured and hath sustained damage to the value of one hundred dollars, and therefore he brings suit &c.

Thomas Perry, Atty, for plaintiff.

Sir:- I am informed that you are in possession of or claim title to the premises in the 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 Allegany County Court on 3d Monday of April 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 Daniel I. Hoye, Tenant in possession of the premises or some part thereof.-

A copy of which said declaration and notice under seal, was made and sent to the Sheriff of Allegany County aforesaid, thus 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 third Monday in April, in the year 1850, being the return day of the service of the copy of the foregoing declaration, comes into the County Court here, the said Richard Roe Lessee, aforesaid, by his attorney aforesaid. And the sheriff of the said County, to wit, John Barnhard Gentleman, to whom the copy of the declaration in ejectment and notice aforesaid, was in manner aforesaid sent, certifies to the Court here the service thereof in form following to wit:

James Swan and others, Lessee vs. John Doe, with Notice to Daniel I. Hoye.-	Nar and Notice delivered to Daniel I. Hoye, tenant in possession of the premises or some part thereof, April 6th 1850.-

John Barnard, Sheriff.-

Whereupon the said Richard Roe Lessee as aforesaid, by his attorney aforesaid, prays that the said John Doe the defendant, the said Daniel Hoye the tenant in possession of the said premises, or those under whom he claims, to the declaration aforesaid may appear. And thereupon the said Daniel I. Hoye,

by Thomas Devecmon and George A. Pearre, Esquires, his attorneys, 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 Daniel I. Hoye (who claims the title in question) by his attorneys aforesaid, that the said Daniel I. 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 Daniel I. shall appear in his proper person or by his attorneys 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 Daniel I. or his tenants or of any other person claiming by or under his title, or in default thereof that judgment be entered against the new defendant John Doe, 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 Richard Roe, Lessee as aforesaid, shall become nonsuit at the trial, the said Daniel I. 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 Daniel I. or if the said Richard Roe 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 James Swan, John Swan, Charles F. B. Swan, Robert Swan and Mary E. F. Swan (by her next friend Edwin M. Lower) Lessors of the said Richard Roe shall pay costs &c. and thereupon the said Richard Roe lessee as aforesaid, by his Attorney aforesaid declares against the said Daniel I. Hoye, in the plea aforesaid as follows to wit:

State of Maryland, Allegany County, sct: Daniel I. Hoye, late of Allegany County, yeoman, was attached to answer unto Richard Roe in a plea whereof, with force and arms &c. at the County aforesaid, he entered into all that tract or parcel of plantable land called "Skipnish," lying and being in the County aforesaid, containing eight hundred and eighty eight acres, and one half of an acre, with the appurtenances which James Swan, John Swan, Charles F. B. Swan, Robert Swan and Mary E. F. Swan (by her next friend Edwin M. Lower,) demised to the said Richard 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 whereupon the said Richard by Thomas Perry his attorney, complains, that the said James Swan, John Swan, Charles F. B. Swan, Robert Swan and Mary E. F. Swan (by her next friend Edwin M. Lower,) heretofore, to wit; on the second day of April in the year eighteen hundred and forty nine, at the County aforesaid had demised to the said Richard, all that the said tract or parcel of plantable land called "Skipnish," lying and being in the County aforesaid containing eight hundred and eighty eight acres and one half of an acre, with the appurtenances, to have and to hold the same to the said Richard and assigns from the 2d day April then past, for and during and unto the full end and term of fifteen years from thence next ensuing, and fully to be completed and ended, by virtue of which said demise, the said Richard entered into the said tract or parcel of plantable land, with the appurtenances and was possessed thereof, and being so possessed thereof, the said Daniel I. afterwards to wit: on the said day and year first aforesaid, with