of the State and Wherefore the said Richard sayth he is injured and hath sustained damage to the value of Two Hundred dollars and therefore he brings his Suit &c

J. A. Hakes & A. Kearse
Attorneys for Pltff.

Dear Sir, I am informed that you are in possession of a claim title to the premises in this declaration mentioned or to some part thereof and I bring suit in this action as a Tenant in Common and having no claim or title to the same premises do as a friendly friend advise you to appear in the Circuit Court for Allegany County on the 1st Monday in January 1857 by some attorney of that Court and then and there by rule of the same Court to cause yourself to be made defendants in my stead otherwise I shall suffer judgment to be entered against me and you will be turned out of possession

I am dear Sir as ever yours,
Loving friend and servant
John Doe

To Ferdinand Frazier Isaac Moreland James W. Abernathy Simon Amos and Jacob Potter tenants 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 there endorsed to be served on tenants in possession of said land, to be set up in the most conspicuous part of the premises before the setting of the Court.

At which Mentioned Feast Monday in January to wit on the year 1857 being the return day of the service of the copy of the foregoing declaration comes into the Court here the said Richard Roe Lessee as aforesaid by his Attorneys aforesaid. And the Sheriff of the County aforesaid to wit John Everett gentleman to whom the copy of the declaration in ejectment and notice aforesaid was in manner aforesaid sent certifies to the Court the service thereof in form following to wit Nat and Notice delivered to tenants in possession J. Everett Sheriff. Thereupon further process of and upon the premises aforesaid by consent of the said Richard Roe by his Attorneys aforesaid and by order of the Court here thereon is continued until the 2d Monday of April next,

At which mentioned 2d Monday in April to wit in the year last aforesaid comes again into Court here the said Richard Roe by his Attorneys aforesaid. Whereupon the said Richard Roe Lessee as aforesaid by his Attorneys aforesaid prays that the said John Doe the defendant the said Ferdinand Frazier Isaac Moreland James W. Abernathy Simon Amos, and Jacob Potter the tenants in possession of the said premises or those under whom they claim to the declaration aforesaid may appear. And thereupon the said Ferdinand Frazier Isaac Moreland James W. Abernathy Simon Amos and Jacob Potter and a certain William Harvey under whom they claim to the declaration aforesaid by Thomas Devecmon and Henry Bruce their Attorneys in pursuance of the notice aforesaid come into Court here. Whereupon it is ordered by the Court here with

the consent of the said Richard Roe Lessee as aforesaid by their Attorneys aforesaid and the Ferdinand Frazier Isaac Moreland James W. Abernathy Simon Amos Jacob Potter and William Harvey (who claim the title in question) by their Attorneys aforesaid, that they be admitted defendants in the place of the Ried defendant John Doe the casual ejector and that they immediately receive declaration and plea that the general issue and that at the time thereon to be taken the said Ferdinand Frazier Isaac Moreland James W. Abernathy Simon Amos Jacob Potter and William Harvey shall appear in their proper person or by their Attorney or Counsel and confess the Lessee's entry and actual ouster and expulsion of so much of the tenements with declaration of the said Richard Roe Lessee as aforesaid as in the possession of the said Ferdinand Frazier Isaac Moreland James W. Abernathy Simon Amos Jacob Potter and William Harvey or their tenants or of any other person claiming by or under them or in default thereof that judgment be entered against the ried defendant John Doe and it is further ordered by the Court here with the consent of counsel that if by reason of such default the said Richard Roe Lessee as aforesaid shall become nonsuit at the time the said Ferdinand Frazier Isaac Moreland James W. Abernathy Simon Amos Jacob Potter and William Harvey shall not be at no advantage thereof but shall pay to the said Richard Roe Lessee as aforesaid his costs &c And it is further ordered by the Court here that if upon the trial of the said issue a verdict shall be given for the said Ferdinand Frazier Isaac Moreland James W. Abernathy Simon Amos Jacob Potter and William Harvey or of the said Richard Roe Lessee as aforesaid shall not prevail his declaration upon any other cause than for their not confessing Lease entry and ouster as aforesaid then the said Frederick Van Bibber and Mary C. Van Bibber by their Guardian and next friend Thomas C. Van Bibber Lessees of the year Richard Roe shall pay costs. And thereupon the said Richard Roe Lessee as aforesaid by his Attorneys as aforesaid delivers against the said Ferdinand Frazier Isaac Moreland James W. Abernathy Simon Amos Jacob Potter and William Harvey in the plea aforesaid as follows to wit, Allegany County to wit. Ferdinand Frazier Isaac Moreland James W. Abernathy Simon Amos Jacob Potter and William Harvey late of Allegany County yeoman were summoned to answer unto Richard Roe in a plea whereupon with force and arms at the County aforesaid they entered into a certain tract or parcel of planted land called Elk Garden being in the County aforesaid containing sixty acres with the appurtenances which Frederick Van Bibber and Mary C. Van Bibber by their Guardian and next friend Thomas C. Van Bibber demised to the said Richard for a term of years which is not yet expired and after from the said term and other Attorneys to the said Richard due and, and also the Grass and Arms &c at the Court aforesaid be entered into the wrongful fourth part of all the