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Chen and thereby pleas of the same Court to cause yourself to be made defendant in my stead wherein I shall suffer judgment to be entered against me & you may be turned out of possession,

Yr Pam'o John Doe,

John Davis Tenant in possession }
of the premises or some part thereof }

A Copy of which said declaration and notice indorsed was made and sent to the Sheriff of Allegany County aforesaid, thus endorsed "to be served on Tenant in possession of no Tenant to be left on the most conspicuous part of the premises.

At which said second Monday of April in the year 1860 being the return day of the service of the Copy of the foregoing declaration, comes into the Court Court here the said Richard Roe lessee of the said Samuel L Purlow by his attorney aforesaid And the Sheriff of the County aforesaid by his Deputy Henry K Allenson Gentleman taken the Copy of the declaration in ejectment and notice aforesaid was in manner aforesaid served certify to the Court here the service thereof in form following to wit Due Notice delivered Tenant in possession Hey K Allenson Shff.

Whereupon the said Richard Roe lessee as aforesaid by his attorney aforesaid prays that the said John Doe the defendant the said John Davis the Tenant in possession of the said premises or those under whom he claims the declaration aforesaid may appear

And thereupon the said John Davis by George A Pearre Thomas Perry and Thomas B McKaig his attorneys in pursuance of the rule aforesaid comes into Court here Whereupon it is ruled by the Court here that with the Consent of the said Richard Roe lessee as aforesaid by his attorney aforesaid and the said John Davis (who claims the land in question) by his attorneys aforesaid the said John Davis be admitted defendant in the place of the new defendant John Doe the casual ejector and that he immediately receive a declaration complained thereupon the general issue and to the trial thereupon he the said John Davis shall appear in his proper person or by his attorney and Confess the Lease entry and

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ouster and expulsion of so much of the tenements in the declaration of the said Richard Roe lessee as aforesaid as in the possession of the said John Davis or his tenant or from 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 he be permitted to defend against him until he makes default in any of the premises, And it is further ruled by the Court here in such cases of Ejectment that if upon the trial of the said issue a verdict shall be given for the said John Davis or if the said Richard Roe lessee as aforesaid shall not prosecute his declaration upon any other cause than for want confessing entry and ouster as aforesaid then the said Samuel L Purlow lessee of the said Richard Roe lessee as aforesaid by his attorney aforesaid declares against the said John Davis in the plea aforesaid as follows to Wit.

Allegany County to wit John Doe late of Allegany County yeoman was attached to answer unto Richard Roe in a plea wherefore with force and arms &c all the County aforesaid he entered into and upon certain pieces or parcels of land lying and being in Allegany County aforesaid and being all that part of a tract of land called the first part of Mrs Rich's Resurveyed which is contained within the following metes and bounds courses and distances that is to say Beginning for the said part of said tract of land called the First part of Mrs Rich's Resurveyed at a bounded white oak standing at the end of the seventh line of the said first part of Mrs Rich's Resurveyed which was granted to John Hoye the 30th day of March in the year 1841 and running with the lines of the said first part South 19 degrees west 5 Pes South 2½ degrees east 12 Pes to a white oak corner sons marked with three notches south 38 degrees west 28 Pes to the end of the 11th line of Mark Hedges" it being the end of the forty second line of the