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declaration and plead thereto the general issue; and at the trial thereon to be had, the said John S. Deveemon, Mary S. Deveemon, Georgina Deveemon, Althea Deveemon, Rosalie S. Deveemon, William C. Deveemon, George W. Deveemon and Fanny Taylor and Charles M. Taylor shall appear in their proper persons or by their attorney or counsel and confess the lease, entry and actual ouster and expulsion of so much of the tenements in the declaration of the said John Doe, lessee as aforesaid, as is in the possession of the said John S. Deveemon, Mary S. Deveemon, Georgina Deveemon, Althea Deveemon, Rosalie S. Deveemon, William C. Deveemon, George W. Deveemon and Fanny Taylor and Charles M. Taylor or their tenants or of any other person claiming by or under their title; or in default thereof that judgment be entered against the now defendant Richard Roe; but that prosecution be staid against them until they 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 non suit, at the trial, the said John S. Deveemon, Mary S. Deveemon, Georgina Deveemon, Althea Deveemon, Rosalie S. Deveemon, William C. Deveemon, George W. Deveemon and Fanny Taylor and Charles M. Taylor, shall take 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, verdict shall be given for the said John S. Deveemon, Mary S. Deveemon, Georgina Deveemon, Althea Deveemon, Rosalie S. Deveemon, William C. Deveemon, George W. Deveemon and Fanny Taylor and Charles M. Taylor or if the said John Doe lessee as aforesaid, shall not prosecute his declaration upon



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any other cause than for the not confessing lease, entry and ouster as aforesaid, then the said John A. Smith lessee of the said John Doe shall pay costs &c.

And thereupon the said John Doe, lessee as aforesaid, by his attorney aforesaid, declares against the said John S. Deveemon, Mary S. Deveemon, Georgina Deveemon, Althea Deveemon, Rosalie S. Deveemon, William C. Deveemon, George W. Deveemon and Fanny Taylor and Charles M. Taylor, in the plea aforesaid, as follows, to wit.

In the Circuit Court for Allegany County.

State of Maryland, Allegany County, to wit:

John S. Deveemon, Mary S. Deveemon, Georgina Deveemon, Althea Deveemon, Rosalie S. Deveemon, William C. Deveemon, George W. Deveemon, Fanny Taylor and Charles M. Taylor, late of said County, were attached to answer unto Richard Roe in a plea wherefore with force and arms at the county aforesaid they entered into all that tract or parcel of plantable land called "Saint Barbe" lying and being in the County aforesaid, containing one hundred and six and seven eighths acres, with the appurtenances which John A. Smith 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 to the damage of the said Richard and against the peace, government and dignity of the State aforesaid &c, And thereupon the said Richard by William A. Read and A. H. Gordon his attorneys, complains that the said John A. Smith heretofore, to wit, on the tenth day of March in the year of our Lord eighteen hundred and sixty six at the county aforesaid, had demised to the said Richard all that the said tract or parcel of plantable land called "Saint Barbe" lying and being in the County aforesaid and containing