the appurtenances, which have been so demised to the said Richard Fenn in manner aforesaid for the term aforesaid, which is not yet expired, and ejected the said Richard Fenn from his said farm and other wrongs to the said Richard Fenn then and there did to the damage of said Richard Fenn against the peace, government and dignity of the said State, &c wherefore the said Richard saith he is injured and hath sustained damage to the value of five thousand Dollars and therefore he brings his suit &c

J. H. Gordon
Atty for Plaintiff

To Joseph G. Nesbitt
& Wesley Dike.
Tenant in possession of the
above premises or some part thereof

I am informed that you are in possession of a claim title to the premises in the declaration mentioned, or to some part thereof, and being sued in this action as casual ejector, and having no claim or title to the same premises, do advise you to appear in the Circuit Court for Allegany County, on the first Monday of October eighteen hundred and sixty six by some Attorney of said Court and cause yourself to be made defendant in said cause in my stead, otherwise I shall suffer judgment to be entered against me, and you will be turned out of possession.

Truly yours &c
John Denn

a copy of which said declaration and notice, under seal, was made and delivered 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 ten days before the sitting of the Court."

At which mentioned first

Monday of October, to wit, in the year eighteen hundred and sixty six, being the return day of the service of the copy of the foregoing declaration, comes into the circuit court here, the said John Denn, lessee as aforesaid, by his Attorney aforesaid. And the Sheriff of the county aforesaid, to wit, Hanson Wellison, Esquire, to whom the copy of the declaration in ejectment and notice aforesaid, were in manner aforesaid sent, certifies to the Court here, the service thereof, in form following, to wit; "Not and notice served on Jos G. Nesbitt and set up on the premises.

H. Willison Shff:

Whereupon the said John Denn lessee as aforesaid, by his Attorney aforesaid, prays that the said Richard Fenn, the defendant, the said Joseph G. Nesbill, the tenant in possession of the said premises, or those under whom he claims to the declaration aforesaid may appear. And thereupon the said Thomas Hammond, Joseph G. Nesbitt and Wesley Dike, by Thomas J. McKaig and Wm J. Read their attorneys, in pursuance of the notice aforesaid, come into Court here: whereupon it is ruled by the Court here, with the consent of the said John Denn lessee as aforesaid, by his Attorney aforesaid, and the said Thomas Hammond, Joseph G. Nesbitt and Wesley Dike, who claim the title in question, by their attorneys aforesaid, that the said Thomas Hammond, Joseph G. Nesbitt and Wesley Dike be admitted defendants, in the place of the now defendants, Richard Fenn, the casual ejector, and that they immediately receive a declaration, and plead thereto the general issue, and at the trial thereon to be had, the said Thomas Hammond, Joseph G. Nesbitt and Wesley Dike shall appear in their proper person or by their attorney or