did enter & was thereof possessed, and the said John Goodtitle being thereof possessed the aforesaid Titus Notitle afterwards viz. on the same seventeenth day of May, in the year seventeen hundred & ninety one at Washington County afs. with force and Arms &c so forth into the premises with the appurtenances afs. which the said Daniel Stull to him the said John Goodtitle in form afs. had demised for the term afs. which is not yet expired, entered, & him the said John Goodtitle from his Farm afs. did eject, & other Harms to him the said John Goodtitle did to the great damage of him the said John Goodtitle, and against the Government and dignity of the State of Maryland &c so forth, whereby the said John Goodtitle saith he is the worse, and hath sustained damage to the value of five hundred pounds. & therefore he brings Suit &c.

W. Cooke for Plaintiff Pledges John Doe and Richard Roe

Gentlemen I am informed, that you are in possession of or claim title to the premises in this Declaration of Ejectment mentioned or to some part thereof and I being sued as casual Ejector & having no claim or title to the same do advise you to appear to this declaration at the next General Court to be held at Annapolis on the second tuesday of October next, by some Attorney of that Court, & then & there by rule of the same Court to cause yourselves to be made Defendants in my Name & to confess the lease, Entry and ouster, and insist upon the title only at the trial, otherwise Judgment will be given against me and you will both be turned out of possession

To Henry Newcomer & Christian Newcomer Tenants in possession } I am yrs. &c. Titus Notitle. —

a Copy of which said declaration and notice was made and sent to the Coroner of Washington County aforesaid, thereon endorsed, "To be served on the tenants in possession or set up on the premises at least eight days before Court. —

At which mentioned second tuesday of October, being the Eleventh day of the same month, in the year of our Lord one thousand seven hundred and ninety one, and the return day of the service of a Copy of the aforegoing declaration, comes into the General Court here the said John Goodtitle lessee of the said Daniel Stull, by his attorney aforesaid and the Coroner of Washington County aforesaid, to wit William Baird Gentleman, to whom a Copy of the said declaration in ejectment and notice aforesaid, was in form aforesaid sent certifies to the Court here the Service thereof, in form following to wit.

Service in June 1791. William Baird Coroner.

Whereupon the said John Goodtitle lessee as aforesaid, by his Attorney aforesaid, prays, that the said Titus Notitle the defendant, the said Henry Newcomer and christian Newcomer the tenants in possession of the said premises, or those under whom he claims, to the declaration aforesaid may appear; and thereupon the said Henry Newcomer and Christian Newcomer by Joshua Dorsey and Richard Sprigg their Attornies, in pursuance of the notice aforesaid, comes into Court here, whereupon it is ruled by the Court here, with the consent of the said John Goodtitle lessee as aforesaid, by his Attorney aforesaid, and the said Henry Newcomer and Christian Newcomer who claims the title in question by their Attornies aforesaid, that the said Henry Newcomer and Christian Newcomer be admitted Defendants in the place of the non defendant Titus Notitle, 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 Henry Newcomer and Christian Newcomer shall appear in their proper persons, or by their Attornies 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 Goodtitle lessee as aforesaid, as is in the possession of the said Henry Newcomer and Christian Newcomer or their tenants, or of any other person claiming by or under their title, or in default thereof that Judgment be entered against the non Defendant Titus Notitle, the casual ejector, but that prosecution be staid 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 John Goodtitle lessee as aforesaid, shall become nonsuit at the trial, the said Henry and Christian Newcomer shall take no advantage thereof, but shall pay to the said John Goodtitle lessee as aforesaid, his costs and so forth, 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 Henry and Christian Newcomer or if the said John Goodtitle 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 Daniel Stull lessor of the aforesaid John Goodtitle shall pay costs and so forth; and thereupon the aforesaid John Goodtitle lessee as aforesaid, by his Attorney aforesaid, declares against the said Henry and Christian Newcomer in the plea aforesaid, in manner and form following, to wit: —