to the premises in the Declaration of Ejectment mentioned or to some part thereof and I being sued as Casual Ejector and 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 the City of Annapolis on the second Tuesday of May next by some Attorney of that Court and then and there by Rule of the same Court to cause yourself to be made Defendant in my stead and 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 be turned out of possession. I am yours &c.

To Mr. Elijah Roboson. Thomas Notitle

a Copy of which Declaration and notice was made and sent to the Sheriff of Anne Arundel County aforesaid thereon endorsed, To be served on the Tenant in possession or set up on the premises eight days at least before the sitting of the Court.

At which said second tuesday of May in the year of our Lord One thousand seven hundred and ninety four, being the day of the return of the service of the Copy of the said aforegoing Declaration, comes into the General Court here the said Timothy Right Lessee of the said Richard Beard by his Attorney aforesaid and the Sheriff of Anne Arundel County aforesaid 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 27th. March Wm Goldsmith Sheriff

Whereupon the said Timothy Right Lessee of the said Richard Beard by his Attorney aforesaid, prays that the said Thomas Notitle the Defendant, the said Elijah Roboson the Tenant in possession of the premises aforesaid, or those under whom he claims, to his Declaration aforesaid may appear and answer; Thereupon Avis Seaborn land lord of the premises in question, comes into Court here, by Gabriel Duvall his Attorney; Thereupon, on motion of the said Avis Seaborn by his Attorney, it is ordered by the Court here, that the said Avis Seaborn landlord of the said premises in question be joined and made Defendant, together with the said Elijah Roboson Tenant in possession of the said premises, in the common rule by consent in Ejectment, instead of the Casual Ejector, in case the said Elijah shall appear; And it is further

(ordered)

ordered, that in case the said Elijah Roboson shall neglect to appear, the said Avis Seaborn may appear by himself and defend his title to the premises in question, or of such part thereof for which he shall hereafter take defence, pursuant to the statute, he hereby consenting to enter into the like rule, that the said Elijah Roboson by the cause of the Court, in case he had appeared, ought to have done; Nevertheless the plaintiff shall be at liberty to sign judgment against the Casual Ejector but execution is hereby staid until this Court shall make farther order therein; and by consent of the said Avis Seaborn by his Attorney aforesaid, it is further ordered, that the said Avis Seaborn upon the trial to be had, shall admit himself to be in the actual possession of the said premises, or of such part thereof for which he shall hereafter take defence. But the said Thomas Notitle, the Defendant, nor the said Elijah Roboson the Tenant in possession, do not, nor does either of them appear to the Declaration aforesaid; Thereupon it is ordered by the Court here, with the consent of the said Timothy Right Lessee of the said Richard Beard by his Attorney aforesaid, and of the said Avis Seaborn (who claims title to the land and premises in question, or of some part thereof) by his Attorney aforesaid, that the said Avis Seaborn shall be admitted Defendant, and that the said Avis Seaborn shall immediately appear by his said Attorney, who shall receive a Declaration to be filed Anew in the premises, and plead thereto the General Issue, and that at the trial to be had thereon shall appear in his proper person or by his Attorney, and confess lease, entry and Ouster of so much of the land and premises specified in the Declaration aforesaid as are in the possession of the said Avis Seaborn or his tenant or any person claiming by or under his title, or for which the said Avis Seaborn shall hereafter take defence, or that in default thereof Judgment shall be thereupon entered against the Defendant Thomas Notitle the Casual Ejector, but proceedings shall be staid against him until default shall be made in any of the premises; and by the like consent, it is further ordered, that if, by reason of any such default, the Plaintiff shall happen to be nonsuited upon the trial, the said Avis Seaborn shall take no advantage thereof, but shall thereupon pay to the Plaintiff all such costs and charges as by the Court here shall be taxed and adjudged for such his default in nonperformance of this rule; And it is further ordered, that the said Richard Beard

(Lessee)