October Term 1798.

which the said Philip to him the said John in form aforesaid had demised for the Term aforesaid which is not yet past entered and him the said John from his farm aforesaid did eject and other harms to him the said John did to the great damage of him the said John and against the peace and good Government of the State of Maryland and so forth, whereby the said John saith he is the worse and hath damage to the value of five hundred pounds Current money and therefore he brings suit and so forth.

Philip B. Key for Ptiff. } John Doe, and
Pledges &c. } Richard Roe.

To which aforegoing Declaration in Ejectment was sent a notice thereto annexed in manner and form following, to wit.

Sir. 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 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 Annapolis the second Tuesday in October 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.

To Mr. Thomas Hewett } I am Sir, your loving Friend
Tenant in possession } Walter Weah. 2d. June 1795.

At which mentioned second Tuesday of October being the thirteenth day of the same month in the year of our Lord one thousand seven hundred and ninety five and the day of the return of the aforegoing Declaration in Ejectment comes into the General Court here the aforesaid John Stout Lessee of the aforesaid Philip Brashears by Philip Barton Key his Attorney aforesaid, And the sheriff of Prince Georges County to whom a Copy of the aforegoing Declaration in Ejectment and notice was in form aforesaid sent, likewise comes and makes return of the Execution thereof to the Court here in manner and form following, to wit. To the honourable the Judges of the General Court I hereby certify, that on the Eleventh day of July in the year of our Lord one thousand seven hundred and ninety five, I delivered to Thomas

October Term 1798.

Thomas Hewitt tenant in possession of a tract of Land called Brashears Meadow with the appurtenances an official Copy of a Declaration in ejectment filed in the General Court office of the western shore at the suit of John Stout Lessee of Philip Brashears, and did notify to the said Thomas Hewitt to appear and defend his title otherwise &c. pursuant to the notice thereto annexed. So answers Wm. Jnº. Jacobsen Shff.

And the said Thomas Hewitt by William Kelly his Attorney in pursuance of the notice aforesaid comes into Court here And thereupon it is ruled by the Court here with the consent of the aforesaid John Stout Lessee of the aforesaid Philip Brashears by his Attorney aforesaid and the said Thomas Hewitt (who claims the title in question) by his Attorney aforesaid, that the said Thomas Hewitt be admitted Defendant in the place of the now Defendant Walter Weah and that he immediately receive a declaration, and pleads thereto the General Issue and at the trial thereon to be had the said Thomas Hewitt shall appear in his proper person or by his attornies or counsel and confess Lease, Entry and actual ouster and expulsion of so much of the tenements in the Declaration of the aforesaid John Stout Lessee of the aforesaid Philip Brashears as is in the possession of the said Thomas Hewitt or his tenants or of any other person claiming by or under his title, or in default thereof that Judgment be entered against the now defendant Walter Weah the Casual Ejector, but that prosecution be stayed 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 Stout Lessee of the aforesaid Philip Brashears shall become non suit at the trial, the said Thomas Hewitt shall take no advantage thereof but shall pay to the aforesaid John Stout Lessee of the aforesaid Philip Brashears 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 Thomas Hewitt or if the aforesaid John Stout Lessee of the aforesaid Philip Brashears shall not prosecute his declaration upon any other cause than for the not Confessing Lease Entry and ouster as aforesaid then the aforesaid Philip Brashears Lessee of the aforesaid John Stout shall pay Costs and so forth: And thereupon the aforesaid John Stout Lessee of the aforesaid Philip Brashears by his Attorney aforesaid declares against the said Thomas Hewitt in the plea aforesaid in manner and form following to wit.

Western Shore State of Maryland to wit Thomas Hewett late of Prince Georges