yet expired, and ejected the said Robert out of the Lot or parcel of Ground and other wrongs to him did, to the great Damage of the said Robert, and against the peace of the said State whereby the said Robert saith he is injured and hath damaged to the value of Five thousand pounds Current Money and thereof he brings Suit &c.

James Winchester } pledges of { John Doe and
Plaintiffs Attorney } prosecution { Richard Roe.

Sir

I am informed that you are in possession or claim title to the premises mentioned in this Declaration of Ejectment, or to some part thereof; and I serve sued in this Action as a casual Ejector, and having no claim or title to the same, do advise you to appear on the second Tuesday in May next, in the General Court of the Western Shore of the State of Maryland at Annapolis, by some Attorney of that Court and there and then by a rule to be made of the same Court, to cause yourself to be made Defendant in my stead; otherwise I shall suffer Judgment to be entered against me, and you will be turned out of possession.

To

Mr. Alexander W. Davey } Your Loving Friend
Tenant in possession } Timothy Notitle.
March 08th 1798.

At which mentioned second Tuesday of May being the eighth day of the same month, in the year of our Lord one thousand seven hundred and ninety eight, and the day of the return of the execution of the aforegoing Declaration of Ejectment, comes into the General Court here, the aforesaid Robert Rightfull Lessee of the aforesaid John McKim Junior by James Winchester his Attorney aforesaid; And the Sheriff of Baltimore County, to wit, Cornelius Howard Gist Gentleman, to whom a Copy of the said aforegoing declaration in Ejectment and Notice in form aforesaid was made and directed, likewise comes and makes return of the Service thereof, in form following, to wit.

"Copy served 8th April 1798. Cornelius H. Gist Shff."

And the said Alexander Woodrop Davey, by Luther Martin his Attorney in pursuance of the notice aforesaid appears in Court here; And thereupon it is ruled by the Court Court here with the consent of the aforesaid Robert Rightfull Lessee of the aforesaid John McKim Junior by his Attorney aforesaid, and the said Alexander Woodrop Davey (who claims

(the)

the title in question) by his Attorney aforesaid, that the said Alexander Woodrop Davey be admitted Defendant in the place of the non Defendant Timothy Notitle the Casual Ejector and that he immediately receive a declaration, and plead thereto the General issue, and at the trial thereon to be had the said Alexander Woodrop Davey shall appear in his proper person or by his Attorney or Counsel, and confess Lease, Entry and actual Ouster and expulsion of so much of the Tenements in the declaration of the aforesaid Robert Rightfull Lessee of the aforesaid John McKim Junior, as in the possession of the said Alexander Woodrop Davey or his Tenants or of any other person claiming by or under his Title, or in default thereof, that Judgment be entered against the non Defendant Timothy Notitle 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 aforesaid Robert Rightfull Lessee of the aforesaid John McKim Junior shall become non Suit, at the trial, the said Alexander Woodrop Davey shall take no advantage thereof but shall pay to the aforesaid Robert Rightfull Lessee of the aforesaid John McKim Junior 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 Alexander Woodrop Davey, or if the aforesaid Robert Rightfull Lessee of the aforesaid John McKim Junior shall not prosecute his declaration upon any other Cause than for the not confessing Lease, Entry and Ouster as aforesaid then the said John McKim Junior Lessee of the aforesaid Robert Rightfull shall pay Costs and so forth; And thereupon the aforesaid Robert Rightfull Lessee of the aforesaid John McKim Junior by his Attorney aforesaid files in Court here his declaration against the said Alexander Woodrop Davey in the plea aforesaid, in form following to wit.

Western Shore of Maryland, Baltimore County Sc.

Alexander Woodrop Davey late of Baltimore County was attached to answer Robert Rightfull of a plea wherefore with force and arms he entered into All that part of a Lot or parcel of Ground distinguished on the plat of Baltimore Town by the number twenty six and which is contained within the following Metes and bounds Courses and distances, to wit, Beginning for the same on Baltimore Street at the end of the house now occupied by John Martin and running thence Easterly binding on Baltimore Street twenty two feet six Inches, then Northerly parallel with Charles

(Street)