in form following, to wit, "no service. Richard Harwood Sheriff"
and the said Henry Gassaway and Samuel Maccubbin do not come:
thereupon the said John Right lessee as aforesaid, by his attorney
aforesaid, prosecuted and sued forth out of the General Court here
an alias declaration and notice to the Sheriff of Anne Arundel
County aforesaid directed in the form following, to wit,
State of Maryland, Anne Arundel County, Set. Peter Wrong late
of Anne Arundel County yeoman was attached to answer unto
John Right in a plea why with force and arms he into all that
part of a tract of Land called West Puddington containing fifty
acres with the appurtenances in the County aforesaid which
Matthew Beard to the said John Right demised for a term
which is not yet past, entered, and him from his farm aforesaid
ejected, and committed other outrages upon him to the great damage
of the said John Right, and against the peace Government and dignity
of the State of Maryland. And Whereas the said John Right by
Philip Barton Key his attorney complains, that whereas the said
Mathew Beard on the first day of January in the year of our
Lord one thousand seven hundred and ninety six at the
County aforesaid demised to the same John Right the
Tenements aforesaid with the appurtenances To have and
To hold the tenements aforesaid with the appurtenances,
to the said John Right and his assigns from the twentieth
day of December then last past, unto the said end and Term
of Ten years from thence next ensuing and fully to be complete
and ended by virtue of which said demise the said John
Right entered into the said premises and was thereof possessed
and the said John Right being so thereof possessed the said
Peter Wrong afterwards, to wit, on the same first day of January
in the year aforesaid, with force and arms, at the County
aforesaid into the Tenements aforesaid with the appurtenances
which the said Matthew Beard to the said John past
entered, and him the said John Right from his said
farm ejected and other outrages on him committed to the
great damage of him the said John Right and against
the peace Government and dignity of the State of
Maryland, whereby the said John Right saith he is
injured and hath damage to the amount and value
of one hundred pounds current money of Maryland and
therefore he produces suit and Sofforth.

Philip Barton Key for Plf. Pledges &c. { John Doe and Richard Roe

Sir,

Sir, I am informed you are in possession of and claim title to the premises
in this Declaration of Ejectment named, or to some part thereof and
being sued in this action as a casual Ejector, and having no claim
or title to the same, do advise you to appear the first day of the
General Court to be holden on the second Tuesday of October next,
at the State House in the City of Annapolis by some attorney of that
Court, and then and there by rule of the same Court to cause
yourselves to be made Defendants in my stead, otherwise I shall
suffer Judgment to be entered against me and you will be
turned out of Possession. Your

Ellejr. Henry Gassaways Humble Servt.
Saml. Maccubbin Tenants in possession. Peter Wrong

A Copy of which said declaration and notice was made and
sent to the Sheriff of Anne Arundel County aforesaid, thereon endorsed,
"To be served on the defendants, 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 six, and the return day
of the service of a copy of the aforegoing declaration, comes
into the General Court here the said John Right, lessee of the
said Matthew Beard by his attorney aforesaid, and the Sheriff
of Anne Arundel County aforesaid, to wit, Richard Harwood,
Gentleman, to whom a Copy of the said declaration in Ejectment
and notice aforesaid, was in form aforesaid made and sent,
certifies to the Court here the service thereof, in form following,
to wit, "Service on Gassaway 29th September. no Service on Maccubbin
Richard Harwood Sheriff." whereupon the said John Right lessee
as aforesaid, by his attorney aforesaid, prays that the said
Peter Wrong, the defendant, the said Henry Gassaway and Samuel
Maccubbin 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 Gassaway by Nicholas
Brice his attorney, in pursuance of the notice aforesaid, comes
into Court here, and the said Samuel Maccubbin by Nicholas
Brice his attorney, voluntarily comes here into Court, where
upon it is ruled by the Court here, with consent of the
said John Right lessee as aforesaid, by his attorney aforesaid,
and the said Henry Gassaway and Samuel Maccubbin (who
claims the title in question) by their attorney aforesaid,
that the said Henry Gassaway and Samuel Maccubbin
be admitted defendants in the place of the now
defendant