M'Caskey to him the said Simon had demised in form aforesaid, for the Term aforesaid, and which is not yet passed entered and him the said Simon from his Term and farm aforesaid did Eject and other harms to him the said Simon then and there did to the great damage of him the said Simon and against the peace Government and dignity of the State of Maryland &c. Whereby the said Simon says he is injured and has damage to the value of one thousand pounds current money of Maryland and therefore he brings suit &c. and brings here into Court the Letters Testamentary aforesaid which testifies the granting of Administration aforesaid in form aforesaid. W. M'Mecken for pltff. — Pledges &c. John Doe & Richard Roe. —

M. Stephen Yarnell. — Sir. — I am informed that you are in possession or claim title to the Lot or parcel of ground and premises with the appurtenances in this declaration of Ejectment mentioned or to some part thereof and I being sued in this action as casual Ejector and having no claim or title to the same do advise you to appear at the next General Court for the Western Shore of Maryland and there 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. Your loving friend. Anthony Norright. — Aug. 5th 1798. —

a copy of which said Declaration and notice was made and sent to the Sheriff of Harford County aforesaid, thereon endorsed. To be served on the Defendant, Tenant in possession, or set up on the premises, at least eight days before Court; At which mentioned second tuesday of October in the year of our Lord One thousand seven hundred and ninety eight, being the day of the return of the service of the aforegoing Declaration in Ejectment, comes into the General Court here, the said Simon Trustille Lessee of the said Benjamin M'Caskey administrator as aforesaid by his attorney aforesaid; and the Sheriff of Harford County, to whom a copy of the said Declaration in Ejectment and notice as aforesaid was in form aforesaid sent, certifies his service thereof to the Court here in form following to wit. Copy served. September 6th 1798. — Robert Amos Jun. Sheriff. —

Whereupon the said Simon Trustille lessee of the said Benjamin M'Caskey administrator as aforesaid by his attorney aforesaid, prays, that the said Anthony Norright the Defendant the said Stephen Yarnell the Tenant in possession of the said premises, or those under whom he claims, to the Declaration aforesaid may appear: And thereupon the said Stephen Yarnell by Zebulon Hollingsworth his attorney in pursuance of the notice aforesaid, comes into Court here; Whereupon it is ruled by the Court here, with the consent of the said Simon Trustille lessee of the said Benjamin M'Caskey administrator as aforesaid by his attorney aforesaid, and the said Stephen Yarnell (who claims the title in question) by his attorney aforesaid. that the said Stephen Yarnell be admitted defendant in the place of the now Defendant Anthony Norright, 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 Stephen Yarnell shall appear in his proper person or by his attorney or counsel, and confess the lease, entry and actual ouster and expulsion of so much of the tenements in the Declaration of the said Simon Trustille lessee of the said Benjamin M'Caskey administrator as aforesaid as is in the possession of the said Stephen Yarnell 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 Anthony Norright, 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 Simon Trustille lessee of the said Benjamin M'Caskey administrator as aforesaid shall become Nonsuit at the Trial, the said Stephen Yarnell shall take no advantage thereof, but shall pay to the said Simon Trustille lessee of the said Benjamin M'Caskey administrator 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 Stephen Yarnell, or if the said Simon Trustille lessee of the said Benjamin M'Caskey administrator 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 Benjamin M'Caskey administrator as aforesaid lessor of the said Simon Trustille shall pay Costs and so forth: And thereupon the said Simon Trustille lessee of the said Benjamin M'Caskey administrator as aforesaid by his attorney aforesaid, declares against the said Stephen Yarnell in the plea aforesaid, in form following to wit. — Western Shore of Maryland, Harford County to wit, Stephen Yarnell late of Harford County aforesaid yeoman was attached to answer Simon Trustille of a plea, wherefore with force and arms and so forth, into all that Lot, piece and parcel of ground and premises situate lying and being in the Town called Havre de Grace in the County aforesaid and distinguished on the plat of said Town by the number One hundred and Seventy nine, with the premises and appurtenances thereunto belonging containing Sixty feet fronting on Market Street, and two hundred feet in depth being the corner Lot where Congress Street intersects Market Street, and which Benjamin M'Caskey the administrator of all and singular the Goods and Chattels, rights and Credits which were of Alexander M'Caskey at the time of his death and of Baltimore County lately deceased to him the said Simon demised for a term of years not yet past he the said Stephen Yarnell did enter, and him the said Simon from his said Lot, piece a parcel of ground and Farm aforesaid did Eject and other wrongs to him the said Benjamin then and there did to the great damage of him the said Simon and against the peace government and dignity of the State of Maryland and so forth: And Whereupon the said Simon by William M'Mecken his attorney complains that whereas the said Benjamin M'Caskey the administrator of all and singular the goods and Chattels rights and Credits which were of Alexander M'Caskey at the time of his death and of Baltimore County