it is considered by the Court here that the aft. Isaac Coulbourn doth recover against the said Henry Miles his several Terms aft. yet to come of and in the Tract of Land called Pomfret according to the Plaintiffs Location thereof And upon this the aft. Isaac Coulbourn do pray the Writ of the State of Maryland directed to the Sheriff of Somerset County to cause him to have Possession of his Terms aft. yet to come of and in the aft. Tract of Land and Premisses with the Appurtenances And to him it is Granted and so forth.

James Earle Clk.

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Ezekiel Lane's Lessee.
against
James & Justice Carey

Maryland ss. Timothy Notitle late of Worcester County Planter was attached to answer unto Titus Goodright of a plea Wherefore with force and Arms &c. into all that Tract or parcel of Plantable Land called Lane's Ending lying and being in Worcester County aforesaid containing one hundred and twenty one Acres of Land with the Appurtenances which Ezekiel Lane to him the said Titus Goodright demised for a Term not yet past he the said Timothy Notitle entered and him the said Titus Goodright from his farm aforesaid did eject and other harms to him the said Titus did to the great Damage of him the said Titus & and against the Peace of the Right Honourable the Lord Proprietary that now is and so forth. And Whereupon the same Titus Goodright by James Tilghman the third his Attorney complains that whereas the aft. Ezekiel Lane on the first day of May in the year seventeen hundred and seventy three at Worcester County aft. had demised unto him the said Titus the said Premisses with the appurtenances thereunto belonging to have and to occupy the same Premisses with the Appurtenances unto him the said Titus and his Assigns from the thirtieth day of April then last past untill the full end and Term of Ten Years then next following fully to be compleated and ended by virtue of which Demise the aft. Titus into the Premisses with the appurtenances did enter and was thereof possessed and the said Titus so being thereof possessed the aft. Timothy Notitle afterwards to wit on the same first day of May in the year last aft. at Worcester County aft. with force and Arms and so forth into the Premisses with the appurtenances aft. which the said Ezekiel Lane to him the said Titus in form aft. had demised for the Term aft. which is not yet past entered and him the said Titus from his farm aft. did eject and other harms to him the said Titus then and there did to the great Damage of him the said Titus and against the peace of the Right Honourable the Lord Proprietary that now is and so forth Whereby the



said Titus saith he is the worse and hath Damage to the value of One hundred ++ Pounds Current Money and therefore he brings Suit and so forth.

Pledges and so forth { John Doe. and Richard Roe.

James Tilghman 3d. per Que.

Sir. I am informed that you are in possession of a Claim or Title to the Premisses 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 Provincial Court to be held at Annapolis the second Tuesday of September 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 Tryall otherwise Judgment will be given against me and you will by turned out of Possession. I am your humble Servant

To James Carey Tenant in Possession of the Premisses } Timothy Notitle.

At which aft. second Tuesday in September seventeen hundred and seventy three came the aft. Titus Goodright by James Tilghman the third his Attorney and the Sheriff of the County aft. made return That on the Day of last past He did deliver to James Carey Tenant in Possession of the Messuage and Premisses in Question a true Copy of the Declaration in Ejectment hereto annexed at the foot of which Declaration is a notice for the said James Carey to appear on the second Tuesday of September then next and now present in this Court and defend his Title otherwise Judgment would be entered & against him and farther saith that he told the said James Carey that if he did not appear and defend his Title the then next and now present September Term he would be turned out of Possession.

Therefore It is ordered by the Court with the convent of the Attornies of both Parties that James and Justice Carey be admitted defendants instead of the now defendant Timothy Notitle and that they forthwith appear at the suit of the Plaintiff and put in common bail and receive a Declaration in a plea of Trespass and Ejectment for the Messuage and Premisses in Question and plead thereunto not Guilty and that upon the Trial of the Issue & he confess Lease Entry and actual Ouster and insist upon the Title only & otherwise Judgment shall be entered by the Plaintiff against the now Defendant Timothy Notitle by Default And if upon the Trial of the said Issue the said James and Justice Carey shall not confess Lease Entry and actual Ouster by which the Plaintiff will not be able further to prosecute his Bill against the said James and Justice Carey then no costs shall be awarded upon such Nonsuit but the said James and Justice Carey shall pay to the Plaintiff the Costs and charges to be taxed thereupon. And it is further ordered that if on the Trial of the said Issue a Verdict shall be given for the Defendant or if it happen the Plaintiff should not further