

nants and agreements which, on the part and behalf of the first lessee, are and ought to be performed.

Walter v. Alexander, 2 Gill, 213. Cooke v. Brice, 20 Md. 402. Mackenzie v. Renshaw, 55 Md. 300. Abrahams v Tappe, 60 Md. 322. Shanfelter v. Horner, 81 Md. 628. Smith v. Heldman, 93 Md. 351.

1888, art. 75, sec. 71. 1860, art. 75, secs 46, 47. 1872, ch. 346.

74. When the lands sued for lie contiguous to each other and in adjoining counties, suit may be brought for the whole in any of said counties in which any of the defendants reside ; and if none of the defendants reside in any of said counties, then the suit may be brought in the county where the largest part of the land lies, and the sheriff and surveyor of the county in which the suit is brought shall have power to execute and return the warrant of resurvey of all the lands so sued for, and said sheriff shall also have power to execute a writ of *habere facias possessionem* for all of said lands.

Ibid. sec. 72. 1860, art 75, sec. 48. 1829, ch 186, sec. 1. 1882, ch. 372.

75. In any action of ejectment against two or more defendants they may sever in their defense ; but if plats be necessary, there shall be but three sets returned, which shall show the claims and pretensions of all the parties.

Ibid sec 73. 1860, art. 75, sec. 49. 1829, ch. 186, sec. 3

76. Where defendants in ejectment sever in their defense, the court shall apportion the costs in such manner as may seem reasonable and just.

Ibid. sec. 74. 1860, art. 75, sec. 50. 1833, ch. 276, sec. 2.

77. In all cases of a joint holding by two or more persons, they may declare jointly whether they hold as joint tenants, tenants in common or in any other manner.

Ibid. sec. 75. 1860, art. 75, sec. 51. 1833, ch. 276, sec. 3

78. If, on the trial of an ejectment, title be shown in any of the plaintiffs, it shall be sufficient to authorize him to recover to the extent of such title, though other plaintiffs may be joined who have no interest, or may have parted with their interest.

Carroll's Lessee v. Norwood, 5 H. & J. 174

1888, art. 75, sec. 76 1860, art. 75, sec. 52 1852, ch 177, sec. 2

79. In all actions at law, where the title to land is in question, it shall not be necessary for any party to any such action