damaged, spoiled and destroyed the grass of the said Israel Thompson of the value of $1000, on those several days and times growing and being in the said close and with divers cattle to wit, Horses &c eat up, depastured, trod down, trampled upon, consumed and spoiled other the grass of the said Israel Thompson of the value of other one thousand dollars, on those several days and times there also growing and being in the said close, and with the wheels of carts, wagons and other carriages, damaged, spoiled and destroyed other the grass of the said Israel Thompson of the value of other one thousand dollars on those several days and times, also growing and being in the said close, and also with the wheels of carts, wagons and other carriages, damaged, spoiled and destroyed other the grass of the said Israel Thompson of the value of other one thousand dollars on those several days & times also growing and being in the said close and also with the wheels of the said carts, wagons and other carriages, tore up, turned up, cut up, subverted and spoiled the soil of the said Israel Thompson in his said close, to wit: two thousand perches of the value of other one thousand dollars, and also with hatchets, axes, mattocks and other iron instruments, cut down, grubbed up, stubbed up, prostrated and destroyed the timber trees and other trees of the said Israel Thompson, to wit: 100 oak trees of the value of other one thousand dollars, 100 hickory trees of the value of other one thousand dollars &c. and other wrongs to the said Israel Thompson then and there did, to the great damage of the said Israel Thompson and against the peace, government and dignity of the State of Maryland &c. Whereof fail not at your peril and have you then and there writ.

Witness the Honorable Thomas Perry, judge of the Circuit Court for Allegany County the 11th day of April 1853. Issued the 9th day of August 1853.

H. Resley, Clerk.

And the aforesaid Israel Thompson by his attorney aforesaid on the day of prosecuting and suing forth of the aforesaid writ, declares against the said Baltimore and Ohio Rail Road Company in plea aforesaid in form following to wit:

State of Maryland, Allegany County to wit:

The Baltimore and Ohio Rail Road Company were summoned to answer unto Israel Thompson in a plea wherefore the said Baltimore and Ohio Rail Road Company on the day of June in the year Eighteen hundred and fifty one and on divers other days and at divers other times between that day and the day of the impetration of the writ original in this cause with force and arms to wit, with &c at the County aforesaid, broke and entered the close of the said Israel Thompson, there situate and being called "Western Canal Convention" (otherwise called "Hoyes Big Pasture") and with its feet and the feet of its servants in walking trod down, trampled upon, consumed, damaged, spoiled & destroyed the grass of the said Israel Thompson of the value of $1000.. on those several days and times growing and being in the said close, and with divers cattle to wit: horses &c, eat up, depastured, trod down, trampled upon, consumed and spoiled other the grass of the said Israel Thompson of the value of other one thousand dollars, on those several days and times there also growing and being in the said close; and with the

wheels of carts, waggons and other carriages, damaged, spoiled & destroyed other the grass of the said Israel Thompson, of the value of other one thousand dollars, on those several days and times also growing and being in the said close and also with the wheels of the said carts, waggons and other carriages tore up, turned up, cut up, subverted and spoiled the soil of the said Israel Thompson in his said close, to wit, two thousand perches of the value of other one thousand dollars and also with hatchets, axes, mattocks and other iron instruments, cut down, felled down, grubbed up, stubbed up, prostrated and destroyed the timber trees and other trees of the said Israel Thompson to wit: 100 oak trees, of the value of other one thousand dollars 100 hickory trees of the value of other one thousand dollars. 100 &c on those several days and times there and there growing, standing and being in the said close; and the said timber trees of the value of other one thousand dollars and 50 cart loads of other trees, of the value of other one thousand dollars, then and there seized, took, dragged, hauled and carried away and converted and disposed thereof to its own use and the gates &c, to wit &c, of the said Israel Thompson, there then erected and the bars, posts, poles and rails of the said Israel Thompson there erected, standing and being, cut down, broke down, prostrated and destroyed and the materials thereof of the value of other one thousand dollars, took and carried away and converted and disposed thereof to its own use; and divers cattle of divers persons escaped from and out of the closes fields and commons, adjoining the said close of the said Israel Thompson and there and then trod down, depastured, eat up, spoiled and destroyed, other the grass of the said Israel Thompson of the value of other one thousand dollars on those several days and times also growing and being in the said close. And also that the said Baltimore and Ohio Rail Road Company afterwards to wit, on &c, with force and arms &c, at the County aforesaid, seized and took other the goods & chattles of the said Israel Thompson to wit. 100 other oak trees of the value of other one thousand dollars &c. 50 cart loads of other timber trees of the value of other one thousand dollars &c. did then also found and being and carried away the same and converted and disposed thereof to its own use and other wrongs to the said Israel Thompson then and there did, to the great damage of the said Israel Thompson and against the peace, government and dignity of the State of Maryland &c. And whereupon the said Israel Thompson by Henry Bruce his attorney complains that the said Baltimore and Ohio Rail Road Company on the 10th day of August in the year 1857 and on divers other days and times, between that day and the day of suing forth the original writ in this cause, with force and arms &c, broke and entered the close of the said Israel Thompson, called "Western Canal Convention" (otherwise called "Hoyes Big Pasture") situate, lying and being in the County aforesaid, and trod down, consumed and spoiled the grass and corn of the said Israel Thompson, then and there growing of the value of one thousand dollars with its feet in walking and with certain cattle to wit, horses, mares, geldings, cows and sheep, eat up trod down, consumed and spoiled other the grass and corn of the said Israel Thompson