Whereupon the said Richard Ro Lessee of the said William S Waters by his attorney aforesaid prays that the tenant in possession of the premises aforesaid at the time under whom he claims to his declaration aforegoing may appear: and thereupon the said Emery Riggin tenant in possession of the premises aforesaid appears in the said Circuit Court here by Edward Long and Isaac D Jones Esquires his attorneys. Whereupon it is ruled by the said Court here with the consent of the said William S Waters Lessee as aforesaid by his attorneys aforesaid and the said Emery Riggin who claims the title in question by his attorney aforesaid that the said Emery Riggin be admitted defendant in the place of the new defendant John Doe the Casual Ejector and that he immediately receive a declaration and plead thereto the general issue and at the trial thereof to be had the said Emery Riggin shall appear in his proper person or by his attorney or Counsel and confess the lease entry and actual ouster and expulsion of the Lands and tenements in the declaration of the said William S Waters Lessee as aforesaid or default thereof that judgment be entered against the new defendant John Doe the Casual Ejector, but that possession be stayed against him until the matter 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 William S Waters Lessee as aforesaid shall become Non suit at the trial, the said Emery Riggin shall take no advantage thereof but shall pay to the said William S Waters Lessee as aforesaid his costs and so forth, and it is further ruled by the said Circuit Court here that if upon the trial of the said issue a verdict shall be given for the said Emery Riggin or if the said William S Waters Lessee as aforesaid shall not prosecute his declaration upon any other cause than the not confessing lease entry and ouster as aforesaid then the said Richard Ro Lessee of the aforesaid William S Waters shall pay costs and so forth and thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties by their said Attorneys and by order of the said Circuit Court here is continued until the second Monday of July then next at which said second Monday of July in the year of our Lord 1857 being the 13th day of the same Month) came again into the said Circuit Court here the said Richard Ro Lessee of the said William S Waters by his attorneys aforesaid and the said Emery Riggin by his said Attorneys, and the said Emery Riggin by his said attorneys defends the force and injury when and so forth and prays leave of the Court here to imparle unto the first Monday of October then next and then to escalain his defence and answer to the declaration aforesaid of the said William S Waters. Lessee as aforesaid in the plea aforesaid and he hath it the same day is given to the said William S Waters Lessee as aforesaid and so forth and now the said William S Waters Lessee as aforesaid by his attorneys aforesaid declares against the said Emery Riggin in the plea aforesaid in manner and form following to Wit.

State of Maryland Somerset County To Wit. Emery Riggin late of Somerset County was summoned to answer unto Richard Ro in a plea wherefore with force and arms &c at the County aforesaid he entered into all those tracts of Land lying and being in the County aforesaid hereinafter particularly described with the appurtenances which William S Waters demised to the said Richard for a term of years which is not yet expired and ejected him from his

said Farm, and other Wrongs to the said Richard then and there did to the damage of the said Richard and against the peace government and dignity of the State &c. And thereupon the said Richard by J W. Crisfield and William J Byrne his attorneys complains that the said William S Waters heretofore to Wit on the 1st day of January in the year 1857 at the County aforesaid had demised to the said Richard all those parcel of Land lying and being in the County aforesaid bounded as follows, Beginning at a marked Cedar post set up at the End of the heading ditch on the Line between Levi Riggin and Henry Ward near thence running southerly by and with said ditch to another Cedar post on the Line between the said Levi Riggin and William Dasey, thence Westwardly with the line of the said Dasey to the County Road thence Northerly by and with said Road to the said Land of Henry Ward, thence easterly by and with the line of the said Ward to the Beginning containing 15 acres more or less. with the appurtenances to Have and to hold the same to the said Richard and his assigns from the said 1st day of January 1856 then next. for and during and 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 Richard entered into the said tract or parcel of land with the appurtenances and was possessed thereof and being so possessed thereof the said Emery afterwards to Wit on the day and year first aforesaid, at the County aforesaid, with force and arms, entered into the said tract or parcel of Land with the appurtenances which the said William had demised to the said Richard in manner aforesaid for the term aforesaid which is not yet expired and ejected the said Richard from his said farm and other Wrongs to the said Richard then and there did to the great damage of the said Richard and against the peace government and dignity of the State. And the said Richard further complains that the said William on the day and year first aforesaid at the County aforesaid had demised unto the said Richard all that parcel of Land lying and being in the County aforesaid, containing one acre which Emery Riggin son of William Ward of Elijah with the appurtenances to have and to hold the same unto the said Richard and his assigns from the 1st day of January 1856 the next for and during and unto the full end and terms of ten years from thence next ensuing and fully to be complete and ended by virtue of which said demise the said Richard entered into the said tract of Land with the appurtenances and was possessed thereof, and the said Emery afterwards on the day and year first in this Count mentioned with force and arms entered into the said tract of Land with the appurtenances which the said William had demised to the said Richard in manner aforesaid for the term aforesaid which is not yet expired and ejected the said Richard from his said farm and other Wrongs to the said Richard then and there did to the great damage of the said Richard and against the peace government and dignity of the State &c.

Whereby the said Richard saith he is injured and hath sustained damage to the value of ten dollars and therefore he brings suit &c

J. W. Crisfield

Wm J Byrne & Plaintiffs attorneys.

At which said first Monday of October in the year of our Lord 1857 being the