health and his reasonable endeavors for procuring the same and by order of the Court here thereon is further continued unto the second Monday of July in the year of our Lord 1860 being the Tenth day of the same month whereon came again into the said Circuit Court here as well the said William S Waters Lessee as aforesaid by his attorneys aforesaid as the said Emery Riggin by his said attorneys and thereupon further process of and upon the premises aforesaid between the parties aforesaid by assent of the said parties by their said attorneys and by order of the said Circuit Court is further continued unto the first Monday of October then next and next at this day to Wit the first Monday of October being the first day of the same Month in the year of our Lord 1860 came again into the said Circuit Court here as well the said William S Waters Lessee as aforesaid by John W Crisfield Esquire his attorney aforesaid as the said Emery Riggin by his said attorneys whereupon for trying the issue aforesaid it is ordered by the Court here that 20 persons from the panned of petit Jurors be drawn by the ballot accordingly the Act of Assembly in such case made and provided, and thereupon the twenty persons being so drawn by ballot and written in two lists one of which said lists is delivered to the Crier for the respective parties and the Crier each of the said parties having struck off four persons from the said lists thereupon the remaining twelve persons being called came to Wit, John W Elder. George Waller. John L Baker. William Waller. William H Veazey Jacob Parks. John Cooper. James Dryden. William T Wailes William Calder William J Dorey and William McMorris Esquires who being empannelled and sworn to say the truth in the said premises upon their oath do say that the said Emery Riggin is not guilty of the trespass and ejectment aforesaid in manner and form aforesaid as the said William S Waters Lessee as aforesaid hath against him complained therefore it is considered by the Court here that the said William S Waters Lessee as aforesaid take nothing by his declaration aforesaid but for his false complaint and clamor and that the said Emery Riggin be in Mercy and so forth and that the said Emery Riggin go thereof without day and so forth, and it is further considered by the Court here that the said Emery Riggin recover against the said William S Waters Lessee as aforesaid the sum of One Hundred and fifty three dollars and three and one third cents current money for his cost and charges by him here and about his defence in this behalf sustained to the said Emery Riggin by the said Court here adjudged and so forth and that the said Emery Riggin may have execution thereof and so forth. Memorandum before the Jurors aforesaid withdrew from the Bar of the Court and the said William S Waters by his attorney aforesaid filed in Court here the following Bills of Exception to Wit,

Plaintiffs Exception No 1.

Richard Roe Lessee of William S Waters Trustee &c
against
Emery Riggin,

Ejectment in the Circuit Court for Somerset County.

Ejectment &c

At the trial of this cause the plaintiff to sustain the issues on his part offered in

evidence the Record of the application of Emery Riggin the defendant for the benefit of the Insolvent Laws of Maryland, and of the appointment of the Lessor of the plaintiff trustee for the Creditors of the said petitioner and his qualification as such,

Maryland Set At a County Court of the Fourth Judicial District of Maryland begun and held at Princess Anne Town in and for Somerset County in the 3d Tuesday of May to Wit in the 20th day of the same Month in the year of our Lord 1850.

Present.

The Honorable Ogle Tayloe Chief Judge.
William Jones
Levin T Goldsmith Associate Judges

Joseph T Polk Esq Sheriff
William T T Polk Clerk

Emery Riggins Application for the benefit of the Insolvent Laws of Maryland.

Be it remembered that on the 28 day of November 1849 Emery Riggin of Somerset County prefered his petition in writing to The Honorable George Handy one of the Judges of Somerset County Orphans Court which is as follows to Wit,

To The Honorable George Handy one of the Judges of the Orphans Court of Somerset County. The Petition of Emery Riggin of Somerset County respectfully sheweth that your Petitioner is now in actual confinement in the Gaol of Somerset County for debt which he is unable to pay that he is willing and offers to deliver up to the use of his Creditors all his property Real personal and mixed to which he is in any Equity entitled (the necessary wearing apparel and bedding of himself and his family excepted) a schedule whereof together with a List of his creditors and debts so far as he can ascertain them all personal are here on oath annexed.

Your Petitioner also herewith annexes proof on oath that he has resided for one year preceding this his application within the State of Maryland. Your Petitioner therefore prays your Honor to grant him the benefit of the insolvent Laws of this State and discharge him from his present confinement. And he will pray

Test S C Ley

Emery Riggin.

At the same time the Sheriff of Somerset County produced before the said George Handy Judge of the Orphans Court aforesaid the Body of the said Emery Riggin and presented to the said Judge a certificate of the said Sheriff which is as follows. To The Honorable George Handy one of the Judges of the Orphans Court of Somerset County. I hereby certify that Emery Riggin is in my Custody safely for debt and not for any other cause.

As Witness my hand this 28 day of November Anno Domini 1849.

Joseph T Polk Sheriff of Somerset County.

And also the certificate of the Clerk of Somerset County which is as follows to Wit. Maryland Somerset County to Wit. I hereby certify that Emery Riggin of Somerset County has not applied to the Judges of Somerset County Court to be discharged under the insolvent Laws of Maryland within two years preceding the date hereof.

In testimony whereof I hereto subscribe my name and affix the seal of Somerset County Court this 28 day of November.

(Seal.)

W T T Polk