aforesaid by their attorneys aforesaid and thereupon was filed in the cause the following agreement and affidavit to wit.

We hereby certify that Reverdy Johnson Esq shall act as Judge in the above cause and by the same. Thomas J M Craig W Read Attys for plaintiff

J H Gordon

P Devecmon Attys for defts.

I do solemnly swear that I will try the cause between Thomas Hammond lessee pltff and George W Steuart deft in dispute fairly and impartially to the best of my ability so help me God Reverdy Johnson Jr

And thereupon on motion of the plaintiff and defendants by their attorneys aforesaid leave is granted to the surveyor to amend the plots by him returned in this cause And thereupon the said Thomas Hammond by his attorney aforesaid declares against the said George W Steuart and James Harrison in the trespass of ejectment to wit.

In the Circuit Court for Allegany County State of Maryland Allegany County to wit. James Harrison and George W Steuart late of said County was attached to answer unto Richard Roe in a plea whereof with force and arms at the County aforesaid he entered into and that house land or parcel of land called Soldiers Lot No 3905 lying and being in the County aforesaid containing 50 acres with the appurtenances which Thomas Hammond demised to the said Richard Roe for a term of years which is not yet expired and ejects him from his said farm to the damage of the said Richard Roe and against the peace government and dignity of the said Richard Roe and against the peace government and dignity of the State aforesaid &c

And thereupon the said Richard Roe by W G Read his attorney complains that the said Thomas Hammond heretofore to wit on the 1st day of January in the year of our Lord 1850 at the County aforesaid demised to the said Richard all that lot or parcel of land lying and being in the County aforesaid and called and known as Lot No 3905 containing 50 acres with the appurtenances to have and to hold the same unto the said Richard and his assigns from the said 1st day of January 1850 for and during and until the full end and term of 15 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 lot or parcel of land with the appurtenances and was possessed thereof and being so possessed thereof the said James Harrison and George W Steuart afterwards to wit on the 5 day of January aforesaid with force and arms at the County aforesaid entered into the said lot or parcel of land with the appurtenances which have been so demised to the said Richard in manner aforesaid for the term aforesaid which is not yet expired and ejected the said Richard from the said farm and other wrongs to the said Richard then and there did to the great damage of the said Richard against the peace government and dignity of the State &c Wherefore the said Richard saith he is injured and hath sustained damage to the value of $100 dollars and therefore he brings his suit &c Thomas J M Craig

Wm G Read Attys for Deft.

And the said George W Steuart and James Harrison by their said attorneys for plea to said declaration filed in the cause here the following to wit.

Thomas Hammond's Lessee vs James Harrison and George W Steuart

Mrg Trespass Jan Term 1866

The defendants by Josiah H Gordon Peter Devecmon their attorneys for plea to the declaration in this cause say that they are not guilty of the alleged trespass and ejectment and they take defence for said that part of said lot number 3905 located on the plots in said cause which is contained within the lines of possession numbered 1 and shown by the blue lines and blue figures numbered from 1 to 4 inclusive as shown by the plats and the return of the surveyor filed in said cause as amended. And they also take defence for the whole of possession number two as located in the plats filed in said cause and shown by the red lines and red figures numbered from 1 to 4 inclusive as is shown by said plats and the surveyors return in said cause J H Gordon

P Devecmon Attys for Defts

And of this they put themselves upon the Country And the said Thomas Hammond by his attorneys aforesaid doth the like

And thereupon the said Thomas Hammond by his attorney aforesaid says that the said John Doe the casual ejector of the tenants in possession