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And whereupon further process in and upon the premises is continued unto the first Monday in September next.

At which mentioned first Monday in September in the year 1866 comes again into Court here the said plaintiff by his Attorney aforesaid and the said defendant by his Attorney who had previously to Wit on the 2nd day of August 1866 filed in Court here his plea in the Words following to Wit.

John Doe on the demise of John Y B Dorsey vs John W Dorsey

In the Circuit Court for Howard County.

And the said John W Dorsey by by James Mackubin his Attorney comes and defends the force and injury when &c and says that he is not guilty of the said supposed trespass &c and of encroachments by the said plaintiff laid to his charge or any or either of them in manner and form as the said plaintiff has complained against him and of this he puts himself upon the Country.

J Mackubin Attorney for Plaintiff.

Whereupon for trying the issue aforesaid therein joined between the parties aforesaid, it is ordered by the Court here that twenty persons from the panned of the petit jurors returned to the Court here by the Sheriff of Howard County aforesaid be drawn by ballot according to the directions of the Act of Assembly in such case made and provided. And thereupon the twenty persons being so drawn by ballot and written upon two lists one of which said lists is delivered to the Counsel for the respective parties and the Counsel for each of said parties having stricken out four persons from the said lists. Whereupon the remaining twelve persons being called come to Wit: Littleton Machin. Martin Nesbitson Wm P Ridgley David Hays George L Stockett. Nimrod Garnett Van Buren Durall Wm McCauley Nelson L Hobbs Jacob McComas Jesse Gorsuch and Marshall McCauley

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Who being empannelled and sworn to say the truth in the premises upon their oaths do say. that they find for the defendant and assess the damages at one cent.

Whereupon it is considered by the Court here that the said defendant recover against the plaintiff the sum of one cent it being amount of damages by the Jurors aforesaid in form aforesaid assessed as also the sum of five dollars and sixty five cents for his cost and charges by him about his suit in this behalf expended. Adjudged unto him by the Court here.

Memorandum - Before the Jurors withdrew from the bar of the Court here the said plaintiff by his Attorney aforesaid filed in Court here the following Exceptions to Wit.

John Y B. Dorsey's lessee vs. John W Dorsey.

In the Circuit Court for Howard County.

Plaintiffs first Bill of Exceptions.

At the trial of this cause the defendant admitted that the plaintiffs lessor had title to the premises in the declaration mentioned, except in so far as he might be able to shew that said title had been acquired by him. The defendant then offered in evidence the following papers which were on file in the Office of the Clerk of this Court, all of them being filed on the 6th day of April 1863 and are in the words and of the tenor following to Wit.

Ellicotts Mills Dec 5th 1860

1858 William Taylor's Estate

Mr John Y B. Dorsey Dr

Dec 4th	the P O	Oysters	$1.50	16 the P O Oysters 25	1.75
24	Do	Oysters	25	28 Do Oysters 50	75
Jany 5	Do	Oysters	$3.50	11 Do Oysters $1.00	3.50
	18 Do	Oysters	$1.00	23 Do Oysters 1.25	2.25
	29 Do	Oysters	12½ C	Feby 2nd Do Oysters 1.25	1.37½
Feby 27	Do	fish	$2.25	28 Do Oysters 125	3.50