said John Doe, lessee as aforesaid, shall become non-suit at the trial &c.

And thereupon, the aforesaid John Doe, lessee as aforesaid, by his attorney aforesaid, declares against the said Jacob Newman and John Reichard, in the plea aforesaid, in manner and form following to wit:

Washington County, to wit:

John Doe, by R. H. Alvey, his attorney, sues Jacob Newman and John Reichard, for that a certain Amos Young, heretofore, to wit, on the first day of January in the year of our Lord eighteen hundred and fifty eight had demised to the said John Doe, all that certain tract or parcel of land called "Slack Water," lying and being in Washington County, aforesaid, containing eighty five and one fourth acres of land, more or less, with the appurtenances: to have and to hold the same to the said John Doe and his assigns, from the thirty first day of December, then last past, for and during and unto the full end and term of fifteen years from thence next ensuing and fully to be completed and ended: By virtue of which said demise, the said John Doe, entered into the said tract or parcel of land with the appurtenances, and was possessed thereof; and being so possessed thereof the said Jacob Newman and John Reichard afterwards, to wit: on ~~on~~ the said first day of January in the year 1858 as aforesaid, with force and arms entered into the said tract, peice or parcel of land, with the appurtenances, which the said Amos Young had demised to the said John Doe in manner aforesaid, for the term aforesaid, which is not yet expired and ejected the said John Doe therefrom, and other wrong to the said John, then and there, did, to the great damage of the said John &c wherefore the said John Doe saith

he is injured and hath sustained damage to the value of one thousand dollars,

2nd. And for that the said Amos Young, on the first day of January, in the year of our Lord one thousand eight hundred and fifty eight had demised unto the said John Doe, a certain other tract, peice or parcel of land, lying and being in Washington County, aforesaid being all that certain tract or parcel of land called "Slack Water," except so much and such part thereof as is or may be embraced in and conveyed by a deed of bargain and sale, made by the said Amos Young and wife, to a certain Alexander Shafer, on the 18th day of July, in the year of our Lord 1851. and which is of record in Liber J.S. No. 6. folios 187, 188, and 189. one of the Land Records of the said Washington County; the said tract or parcel of land, called "Slack Water," containing, in its entirely, eighty five and one fourth acres of land, more or less: to have and to hold the said premises so demised to the said John Doe and his assigns, from the thirty first day of December then last past, for and during and unto the full end and term of fifteen years from thence next ensuing and fully to be completed and ended; By virtue of which said demise, the said John Doe, entered into the said land and premises, with the appurtenances, so as aforesaid demised and became and was thereof possessed for the said term so to him thereof granted; and the said John Doe, being so thereof possessed, the said Jacob Newman and John Reichard afterwards, to wit: on the said first day of January, in the year of our Lord 1858 with force and arms entered into said land, with the appurtenances, which the said Amos Young had demised to the said John Doe in manner and for the term aforesaid which is not yet expired, and ejected the said John Doe from his said farm so demised