aforesaid, as is in the possession of the said Wm. H. Grimes, or his tenants, or of any other person claiming by or under his title or in default thereof, that judgment be entered against the defendant John Doe, the casual ejector, but the prosecution be staid against him, until he makes default in any of the premises, and it is further ruled by the Court here, with the consent of Counsel that, if by reason of such default the said Richard Roe Lessee as aforesaid shall become non suit at the trial &c.

And thereupon the aforesaid Richard Roe, Lessee as aforesaid by his attorneys aforesaid, declares against the said William H. Grimes, in the plea aforesaid in manner and form following to wit:

State of Maryland, Washington County to wit:

William H. Grimes late of Washington County yeoman was summoned to answer unto Richard Roe in a plea whereof with force and arms &c at the County aforesaid, he entered into all that tract or parcel of plantable land lying and being in Washington County, in the state of Maryland, the same being part of a tract of land called "Emerson's Establishment", and part of a tract of land called the "Resurvey on Cherry Farm", beginning at a stone near the west side of the "Marsh branch" it being the original beginning of the whole tract called "Emerson's Establishment" and running thence with the outlines of said whole tract the eight following courses, to wit. South seventy two degrees East one hundred and seventy two perches to a stone, South thirteen degrees West one hundred and thirteen and one half perches to a stone, South eighty six and one half degrees West one hundred and eleven and one half perches to a stone, South twelve degrees East one and three fourths perches to a stone, South forty one degrees East twelve and a half perches to a stone North eighty two and one half degrees East eighty perches to a stone, South thirteen degrees East twelve perches to a stone, South

twenty three and one half degrees West fifty four perches to a stone, thence leaving the outlines aforesaid and running South twenty three and one half degrees West six perches into the main road leading from Williamsport to Hamptons Gap in the South Mountain, thence North fifty six degrees West seventy four perches to a marked black oak. North forty six degrees West fifty perches, North fifty five degrees West twenty six perches, North sixty seven degrees West fifty four perches to a rock. North twelve degrees East ten perches into the aforesaid road. North sixty four degrees West thirty perches. North fifty three degrees West fifty eight perches and eleven links to a stone, then running and bounding on the outlines of that part of "Cherry Farm" of which a certain Isaac Houser died seized. North thirty three degrees West thirteen perches to a stone. North thirty two degrees West twenty three and one half perches to a stone, then running through a lane. North seventy one degrees East sixty one perches and twelve links. North twenty one degrees East fifty perches to a stone, then North sixty six degrees East twenty two perches to a stone, then by a straight line to the beginning containing two hundred and sixty one and a half acres and twenty six perches of land more or less, with the appurtenances, and being the same tract or part of a tract of land which was heretofore conveyed by John M. Hauck Sheriff of Washington County to one Abraham Leiter by deed bearing date the nineteenth day of August A.D. eighteen hundred and fifty nine and recorded in Liber I.N. No 4 folios 278 & 279 one of the Land Records of Washington County aforesaid which Joseph Leiter, John W. Leiter, George T. Leiter, Edward B. Leiter, John D. Byers and Eliza J. Byers his wife, Mary C. Leiter, Emma J. Leiter and Lydia Leiter to the said Richard demised for a term of years which is not yet expired and ejected him the said Richard from his said farm, and other wrongs to him the said Richard did there and there to the great damage of