aforesaid which George Jacob Schley demised to him the said Richard for a term which is not yet past entered and him from his farm aforesaid ejected and committed other outrages on him the said Richard to the great damage of him the said Richard and against the peace of the state and so forth, and whereupon the said Richard by Arthur Shaaff his attorney saith that whereas the said George Jacob Schlly on the twelfth day of March one thousand seven hundred and ninety six at the County aforesaid demised to him the said Richard the tenements aforesaid with the said appurtenances to have and to hold the tenements aforesaid with the appurtenances aforesaid to him the said Richard from the day and year aforesaid to the full end and term of the twenty years from thence next ensuing fully to be compleate and ended by virtue of which said demise the said Richard into the tenements aforesaid with the appurtenances aforesaid entered and was thereof possessed and he the said Richard so being thereof possessed the said John afterwards to wit on the thirteenth day of March in the year aforesaid with force and arms and so forth into the tenements aforesaid with the appurtenances aforesaid which the said George Jacob Schley to the said Richard in form aforesaid demised for a term which is not yet past entered and him the said Richard from his farm aforesaid ejected and other outrages to him the said Richard then and there did to the great damage of him the said Richard and against the peace of the state and so forth whereby the said Richard saith he is injured and hath damage to the value of one hundred pounds current money and therefore he brings suit and so forth pledges and so forth John Doe and Richard Roe.

And now here at this day to wit the fourth monday and twenty eighth day of March in the year seventeen hundred and ninety six comes into Court here as well the said Richard Fen lessee of the said George Jacob Schley by Arthur Shaaff his attorney as the said John Peter by John Thomson Mason his attorney and at the prayer of the said plaintiff by his attorney aforesaid the said John Peter is adjudged to ascertain his defence in the plea aforesaid and the said John Peter by his said attorney prays leave to imparle hereunto until the next Court and he hath it the same day is given to the plaintiff also. and now here at this day to wit the third monday and twenty first day of November in the year seventeen hundred and ninety six comes here again as well the said Richard Fen lessee of the said George Jacob Schley by his attorney aforesaid as the said John Peter by his attorney aforesaid and at the prayer of the said plaintiff by his attorney aforesaid the said John Peter is adjudged to answer to the declaration of the said plaintiff in the plea aforesaid. whereupon the said John Peter by his attorney aforesaid produces to the Court here the following writ of certiorari, to wit

(The)

The State of Maryland ss. To the Justices and clerk of Frederick County Greeting, whereas lately in our said Court John Peter late of Frederick County yeoman was attached to answer unto Richard Fenn lessee of George Jacob Schley of a plea of trespass and ejectment and so forth, which said plea is still depending before you our said Justices in our said County Court as it is said undermined and we being desirous for certain reasons that the record and proceeding in the plea aforesaid should by you be certified to us do command you that you send under your seals the record of the proceedings aforesaid in the plea aforesaid with all things touching the same unto our General Court to be held at the city of Annapolis the second tuesday of May next plainly and distinctly and in as full and ample manner as it now remains before you together with this writ so that we may be able thereon to proceed and to do what shall appear to us of right ought to be done, witness the honorable Robert Goldsborough chief Judge of our said Court the eleventh day of October anno Domini 1796.

Issued the 26th day of October 1796. P. B. Key. Jno. Gwinn clk.

Whereupon it is ordered that the record of the proceedings in the action aforesaid be transmitted accordingly. Test. William Ritchie clk.

In Testimony that the aforegoing is a true copy of the record and proceedings in the action aforesaid, I have hereunto subscribed my name and affix the public seal of Frederick County Court the 12th day of April 1797. William Ritchie clk.

Schley's Lessee ag.st John Peter this cause is to be referred to the determination of the chancellor to be decided by him on principles of law and equity. If the chancellor should be of opinion that the Lessor of the plaintiff is entitled to recover but that the defendant is entitled to any sum of money from any equitable ground arising in this cause that then no execution shall be taken out on the judgment to be entered on the award until payment of such sum as the chancellor shall on consideration of the circumstances of this case award. upon the return of the chancellors award Judgment shall be entered. Arthur Shaaff for Pltff. P. B. Key for Deft.

Articles of an agreement entered into this first day of April 1805. between John Schley attorney of George Jacob Schley on the one part and John Peter adm.r of John Peter dec.d of the other part witnesseth that both parties agree that this dispute now existing between them relative to a case shall be withdrawn from the court of Chancery and reinstated into the General Court of the western shore of Maryland where legal proceedings will be had and a decision made according to law and it is further understood if the lease should be awarded the property of George Jacob Schley then said Schley may and shall enjoy the same unmolested during the residence of the unexpired time of said lease without any further recourse had by said Peter or any other person by from or under him said Schley to fulfill the contract entered into with Francis Hagan by John Peter in his the said John Peters place and stead the rents arising from the farm to be paid to John Peter until a termination

(takes)