Dom 1738 come again the Parties Plt. & Deft. by their Attys. afs. And the said Deft. by his said Atty. prays further leave to Imparle hereunto untill the next Court & he hatyt & the same Day is given to the Plt. also.

At which said Next Court to wit the 17th Day of October Anno Dom 1738 come again the Parties afs. Plt. & Deft. by their Attys. afs. & the said Deft. by his said Atty. prays further leave to Impalle hereunto untill the next Court & he hatyt & the same Day is given to the Plt. also.

At which said Next Court to wit the 15th Day of May Anno Dom 1739 comes again as well the said Paul Peaceable lessee of the said Rowlin Chosdayne by his Atty. afs. as the said Patrick Ohorn by his Atty. afs. & the said Patrick Ohorn by his said Atty. as before defends the force & Injury when & And says that he is not Guilty of the Trespass & Ejectment affin Manner & form as the afs. Plt. above against him hath complained And of this he puts him self upon the Country. And the Plt. also

Whereupon for trying the Issue afs. Command is given to the Sheriff of Saint Marys County that he cause to come before the Justices of the Prov. Court at Annapolis the third Tuesday of October Next, or before the Justices appointed to take the Assizes in his County if there shall before that time to wit on Wednesday the Nineteenth Day of September Next to the County Court House in the said County come Twelve Good & Lawfull Men of his Bailiwick by whom & who neither & to recognize & because as well &c

Afterwards the process continued between the Parties afs. on the Plea afs. by the Jury being put thereon in Respite hereuntill the third Tuesday of October Next, Unless the Justices of his Lordships the Lord Prop.ry to take the Assizes in the said County Assigned on Wednesday the Nineteenth Day of September Next to the County Court House in the said County should come.

And now here at this Day to wit the said third Tuesday of Octo. being the 16th Day of the same Month Anno Dom 1739 comes again into his Lordships Prov. Court here as well the said Paul Peaceable lessee of the said Rowlin Chosdayne by his Atty. afs. as the said Patrick Ohorn by his Atty. afs. But the Sheriff hath not sent his Writ. Yet notwithstanding the said Patrick Ohorn by his Atty. afs. Relinquishing the Tormont afs. Above by him pretended, And thereupon the said Paul Peaceable lessee of the said Rowlin Chosdayne by his Atty. prays that the said Patrick Ohorn to his Declaration afs may Answer, But the said Patrick Ohorn altho Solemnly called &c does not but makes Default whereby the said Paul Peaceable lessee of the said Rowlin Chosdayne remaining the said Patrick Ohorn without Further Defence

Therefore it is considered by the Justices here that the said Paul Peaceable lessee of the said Rowlin Chosdayne recover against the said Patrick Ohorn his Term to come & unexpired in & unto all that the

(Tract)

Tract of Plantable Land in Saint Marys County containing five hundred Acres called Mattapany with the Appurtenances And that he have thereof his Possession against the said Patrick Ohorn and that the said Patrick Ohorn be taken &c, And it is further considered that the said Paul Peaceable lessee of the said Rowlin Chosdayne his Damages by Occasion of the premiss afs. Sustained Ought to recover But because it is unknown to the said Justices what Damages the said Paul Peaceable lessee as afs. has Sustained by Occasion of the Premises afs, It is commanded the Sheriff of Saint Marys County afs. that by the Oath of Twelve Good & Lawfull men of his Bailiwick he Diligently Enquire what Damages the said Paul Peaceable lessee of the said Rowlin Chosdayne hath Sustained by Occasion of the Premises afs. besides his Costs & Charges by him about his Suit in this behalf laid out & Expended and that the Inquisition thereof we & the said Sheriff shall take to his Lordships Justices here the next Term under his hand & Seal & the hands & Seals of those by whose Oath he make Appear.

DD Paul Quietly lessee of Rowlin Chosdayne ... } Maryland ss.

WC Thomas Brewer ... } Be it Remembered that heretofore agt. to wit. the 18th Day of October 1737 Thomas Brewer of Saint Marys County was attached to Answer unto Paul Peaceable of a plea wherefore with force and Arms into a Tract of Plantable Land in S. Marys County containing five hundred Acres called Mattapany with the Appurtenances which Rowlin Chosdayne to the same Paul for a Term which is not yet past did enter and him from his Farm afs. did Eject & amove & other harms to him did to the great Damage of the Same Paul and against the Peace &c

And Whereupon the same Paul by Dan.l Dulany his Atty. Complains that whereas the afs. Rowlin Chosdayne the first Day of April in the Year of Our Lord Seventeen hundred & thirty Seven in the County afs. did demise unto the said Paul the said five hundred Acres of Plantable Land with the Appurtenances to have and Occupy unto the said Paul & his Assigns from the twenty fifth Day of March then last past untill the full end & Term of Seven Years from thence Next Ensuing & fully to be Compleat and Ended by Virtue of which Demise the same Paul into the s. five hundred Acres of Plantable Land w.th the Appurtenances did enter & was thereof possessed & the s. Paul being so thereof possessed the afors. Tho. Brewer afterwards to wit the Second Day of April in the Year afs. w.th Force & Arms &c into the said five hundred Acres of Plantable Land w.th the Appurtenances which the afs. Rowlin Chosdayne unto the afs. Paul in form afs. did demise for the Term afs. which is not yet past did enter & him the s. Paul from his Farm afs. did Eject and other harms to him did to the great Damage of the said Paul ag.t the Peace of the s. Lord Prop.ry that now is &c Wherefore he Saith that he is the Worse & hath Damage to the value of five hundred Pounds Current money of Maryland and therefore he brings Suit &c Pledges &c John Doe & Richard Roe

And the said Thomas Brewer by William Cummins his Atty. Comes and

(Defends)