June Term 1856,

John Dennis Lessee of Ebenezer T Phelps and John Stuart
vs
James Phelps

Be it remembered that on the 1st Monday of June being the 6th day of the said month in the year of our Lord One thousand Eight Hundred and Fifty nine the Judge of the Second Judicial Circuit of Maryland in pursuance of the directions of the act of Assembly in such case made and provided assigned to the Court of Appeals for the trial of proceedings of a plea now lately depending before him in the Circuit Court of Anne Arundel County between John Dennis Lessee of Ebenezer T Phelps and John Stewart plaintiffs and James Phelps defendant and whereas the said Circuit gave judgment for the said Phelps against the said John Dennis Lessee of Ebenezer T Phelps and John Stewart and said John Dennis Lessee of Ebenezer T Phelps and John Stewart appealed to the Court of Appeals now for the error of which and the record of proceedings in said Court of Appeals is the following to Wit,

State of Maryland Anne Arundel County to Wit.

At a Circuit Court begun and held for the second Judicial Circuit of the State of Maryland begun and held at the City of Annapolis in and for Anne Arundel County aforesaid on the 1st Monday of October being the 25 day of the same month in the year of our Lord 1858 and in the Eighty third year of the Independence of United States of America

Present

The Hon Nicholas Brewer Judge
Lewis W Duvall Clerk Sheriff
Nicholas H Green Clerk

In the Record of proceedings of the said Court among other is the following to Wit.

John Dennis Lessee of Ebenezer T Phelps and John Stewart
vs
James Phelps

Be it remembered that here upon the on the twenty eighth day of March in the year of our Lord Thousand John Dennis Lessee of Ebenezer T Phelps and John Stewart by Thomas S Alexander and Frank H Stockett his attorneys claiming in the County Court of Anne Arundel County against Richard in an action of trespass against and complained with a notice that annexed in Lieu pleading to Wit.

Anne Arundel County to Wit

Richard Lewis late of said County yeoman was attached to answer unto John Dennis in a plea wherefore with force and arms at the South at the County aforesaid he the said Richard entered into and upon that one parcel of plantable Land called The addition to Timber Ridge lying and being in the County aforesaid containing Seventeen acres with the appurtenances which Ebenezer T Phelps to the said plaintiff demised for a term of years which is not yet expired and from the said plaintiff from his said farm aforesaid ejected, and still the said

with force and arms at aforesaid the County aforesaid he the said defendant entered into another tract or parcel of plantable Land called The addition to Timber Ridge lying and being in Anne Arundel County aforesaid containing five hundred acres with the appurtenances which John Stewart to the said plaintiff demised for a term of years which is not yet expired and from the said plaintiff from his said farm aforesaid ejected, And whereupon the said plaintiff by Dana Stewart and Thomas S Alexander his attorneys complains that the said Ebenezer T Phelps in the 14 day of January in the year 1845 at the County aforesaid had demised unto the said plaintiff all that the aforesaid tract or parcel of plantable Land called The addition to Timber Ridge first above mentioned lying and being in the County aforesaid containing five hundred acres with the appurtenances to have and to hold the said premises with the appurtenances unto the said plaintiff from the 31 day of December then last past for and during and until the full end and term of Twenty years from thence next ensuing and fully to be complete and ended by virtue of which said demise the said plaintiff entered into the said tract or parcel of Land with the appurtenances and thereof and being thereof possessed the said defendant afterwards to wit on the said first day of October in the year aforesaid with force and arms that is to say with swords and staves and knives at the County aforesaid entered into the said tract or parcel of Land with the appurtenances which the said Ebenezer had demised to the said plaintiff in manner aforesaid for the term aforesaid which is not yet expired and ejected the said plaintiff from his said farm aforesaid and still the said defendant entered into another tract or parcel of plantable Land called The addition to Timber Ridge lying and being in the County aforesaid containing five hundred acres with the appurtenances to have and to hold the said premises with the appurtenances unto the said plaintiff from the 18 day of September then last past for and during and until the full end and term of Ten years from thence next ensuing and fully to be complete and ended by virtue of which said demise the said plaintiff entered into the said tract or parcel of Land with the appurtenances and thereof and being thereof possessed the said defendant afterwards to wit on the said first day of October in the year aforesaid with force and arms that is to say with swords and staves at the County aforesaid entered into the said tract or parcel of Land with the appurtenances which the said John Stewart had demised to the said plaintiff in manner aforesaid for the term aforesaid which is not yet expired and ejected