as they shall appear to be laid down on the return of a Warrant of Resurvey to be issued in this cause, and says, that he is not guilty of the trespass and ejectment aforesaid in the declaration aforesaid mentioned in Manner and form as the said Timothy Seekright lessee as aforesaid, above complains against him and of this he puts himself upon the country and the said Timothy Seekright lessee as aforesaid in like manner. And thereupon on the motion of the said Timothy Seekright lessee as aforesaid by his attorney aforesaid. It is Ordered by the court here that the writ of the State of Maryland of Warrant of Resurvey issue in this cause; and the same accordingly issues directed to the Sheriff and Surveyor of Baltimore County returnable to the court here on the second Tuesday of October next, and thereupon the same day is given to the parties aforesaid then and there and so forth;

At which said second Tuesday of October being the twelfth day of the said month in the year of our Lord one thousand eight hundred and two and the day of the return of the aforegoing warrant of Resurvey Comes again into the General court here as well the said Timothy Seekright lessee as aforesaid by his attorney aforesaid as the said David Elphinstone by his Attorney aforesaid. And the Sheriff and surveyor of the county aforesaid to whom the said Warrant of Resurvey was in form aforesaid directed make no return thereof to the court here; Whereupon the parties aforesaid by their Attornies aforesaid pray leave of the court here to completo the said survey under the warrant aforesaid by the second Tuesday of May next; and to them it is granted, and the same day is given to the parties aforesaid then and there and so forth;

At which said second Tuesday of May being the tenth day of the said month in the year of our Lord One thousand eight hundred and three to which said day the parties aforesaid had leave to complete their survey under the warrant aforesaid: comes again into the General court here as well the said Timothy Seekright lessee as aforesaid by his Attorney aforesaid as the said David Elphinstone by his Attorney aforesaid; And the Sheriff and surveyor of the county aforesaid to whom the said Warrant of Resurvey was heretofore in form aforesaid directed, make no Return thereof to the court here; Whereupon the parties aforesaid by their Attornies aforesaid: pray further leave of the court here to complete the said survey under the warrant aforesaid by the second Tuesday of October next; and to them it is granted Thereupon further process of and upon the premises aforesaid between the parties aforesaid by order of the court here thereon, is continued until the said second Tuesday of October next;

At which said second Tuesday of October being the eleventh day of the said month in the year of our Lord one thousand eight hundred and three to which said day the parties aforesaid had further leave to complete their survey under the Warrant aforesaid: comes

again into the General court here as well the said Timothy Seekright lessee as aforesaid by his Attorney aforesaid as the said David Elphinstone by his Attorney aforesaid: and the Sheriff and surveyor of the County aforesaid to whom the said Warrant of Resurvey was heretofore in form aforesaid directed make no return thereof to the court here; Whereupon the parties aforesaid by their attornies aforesaid pray further leave of the court here to complete the said survey under the warrant aforesaid by the second Tuesday of May next; and to them it is granted: Thereupon further proces of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their Attornies aforesaid and by order of the court here thereon is further continued until the said second Tuesday of May next;

At which said second Tuesday of may being the eighth day of the said month in the year of our Lord One thousand eight hundred and four to which said day the parties aforesaid have further leave to complete their survey under the warrant aforesaid: comes again into the General court here as well the said Timothy Seekright lessee as aforesaid by his Attorney aforesaid as the said David Elphinstone by his Attorney aforesaid: and the Sheriff and surveyor of the County aforesaid to whom the said Warrant of Resurvey was heretofore in form aforesaid directed make no return thereof to the court here; Whereupon the parties aforesaid by their Attornies aforesaid move the court here that the whole matters in the premises between them in variance may be referred, according to the act of assembly in such case made and provided, and the approved custom of the court here to persons indifferently to be appointed by the court here with the consent of the said parties to adjust the same; Whereupon by consent of the said parties by their Attornies Aforesaid it is ruled by the court here that Alexander Nesbit and Thomas Beale Dorsey Esquires be appointed Referrees between the parties aforesaid and on their disagreeing to choose a third person and that they or any two of them when the whole matter concerning the premises between the parties aforesaid in variance being fairly adjusted have their award in writing under their hands and seals and Return the same to the court here and judgment of the court to be Rendered according to such award and be final between the said parties with power to the said Referrees to examine evidences on oath by consent of both parties; Plaintiff and Defendant and their Attornies aforesaid. Thereupon day is given as well to the said Timothy Seekright lessee as aforesaid as to the said David Elphinstone by the court here until the second Tuesday of October next,

At which said second Tuesday of October being the ninth day of the said month in the year of our Lord One thousand eight hundred and four: comes again into the General court here as well the said Timothy Seekright lessee as aforesaid by his Attorney aforesaid as the said David Elphinstone by his Attorney aforesaid: and the Arbitrators aforesaid have not Returned their Award nor have they done any thing