therefore to have or maintain against him ought and so forth. And thereupon the said John T. Wall by his Attornies aforesaid prays that the said George Forbes and Horatio C. McElderry may reply to the answer of him the said John T. Wall in the plea aforesaid whereupon it is ordered by the Court here that the said George Forbes and Horatio C. McElderry reply to the answer of the said John T. Wall in the plea aforesaid and if the said George Forbes and Horatio C. McElderry do not reply to the answer of the said John T. Wall in the plea aforesaid judgment will be rendered against them in default and the said George Forbes and Horatio C. McElderry by their Attornies aforesaid pray leave of the Court here to imparle until the first Monday in April next to reply to the answer of the said John T. Wall in the plea aforesaid and they have it the same day is given to the said John T. Wall then &c. All which said first monday in April being the second day of the same month in the year of our Lord one thousand eight hundred and twenty one and the day until which the said George Forbes and Horatio C. McElderry had leave to imparle to reply to the answer of the said John T. Wall in the plea aforesaid Comes again into the County Court here as well the said George Forbes and Horatio C. McElderry by their Attornies aforesaid as the said John T. Wall by his Attornies aforesaid and the said George Forbes and Horatio C. McElderry by their Attornies aforesaid pray that the rule of Court laid on them the said George Forbes and Horatio C. McElderry to reply to the answer of the said John T. Wall in the plea aforesaid may be further extended until the first monday in September next and they have it the same day is given to the said John T. Wall then &c. And the said George Forbes and Horatio C. McElderry by their Attorney aforesaid pray 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 the County aforesaid in the words following to wit: Prince Georges County for the State of Maryland to the Sheriff and Surveyor of Prince Georges County Greeting. Whereas at a County Court of the said State begun and held at Upper Marlborough Town in said County on the first

(Seal) Monday in April Eighteen hundred and twenty one it was so far proceeded in a Certain plea of debt in said Court depending between a Certain George Forbes and Horatio C. McElderry plaintiffs and John T. Wall defendant that it was considered absolutely necessary for the better information of the said Court and Jury in the trutth of the premises that a tract of land Called Timber Neck be carefully resurveyed and laid out according to the Ancient metes and bounds thereof as in the original Certificate of Survey thereof is expressed to the end that the said lands in Controversy and the Claims and pretences of both parties may more plainly and indifferently appear to the Court and Jury Therefore you the said Surveyor in the presence of you the said Sheriff are hereby commanded carefully to resurvey and lay out as well the said lands in dispute as any other lands adjacent thereof which shall be thought necessary by the said plaintiff or defendant to

be laid out the better illustration of the matter according to the Claims and pre-tentions of the plaintiff in the presence of the defendant if he being summoned fit to be present and without any interruption of him the said defendant or if absent notice to be left at his place of residence or last place of abode and likewise survey and lay out the same lands in dispute as aforesaid according to the Claims and pretensions of the defendant in the presence of the plaintiff if he being summoned think fit to be present without any interruption of him the said plaintiff or if absent notice to be left at his place of residence or last place of abode and you the said Sheriff are hereby empowered to examine upon oath any Witness or Witnesses that by either of said parties shall be produced in relation to the same and you the said Sheriff are hereby ordered to give both the said parties thirty days notice before the day of execution of this writ and you the said Surveyor are hereby Commanded to return five fair Certificates and plots thereof, drawing the pretences of the plaintiff on black lines and the pretences of the defendant in pricked lines as will under the hand and seal of you the said Sheriff as you the said Surveyor to the said County Court to be held at the Town aforesaid on the first monday in September next that the said Court and Jury being rightly informed of the truth of the premises may further proceed therein as to Justice appertains &c. Witness the Honourable John Johnson Chief Judge of the first Judicial District the 13th day of April in the year of our Lord 1821.

Issued the 20th day of April 1821. Ag: Beale Clk.

At which said first Monday of September being the third day of the same month in the year of our Lord one thousand eight hundred and twenty one and the day until which the said George Forbes and Horatio C. McEl-deny had leave to imparle to reply to the answer of the said John T. Wall in the plea aforesaid and also the day of return of the aforegoing war-rant of resurvey Comes into the County Court here as well the said George Forbes one of the plaintiffs in this Cause by ~~Reverdy~~ Johnson and John Stephen Esquires his attornies as the said John T. Wall by his Attornies aforesaid and the said George Forbes by his Attornies aforesaid suggests to the Court here that since the last Continuance of the plea aforesaid and before this time to wit on the day of at the County aforesaid the said Horatio C. McElderry one of the plaintiffs in this Cause departed this life leaving him the said George Forbes his survivor and whom he has survived: And which the said John T. Wall doth not deny &c. And the Sheriff and Surveyor of the County aforesaid to whom the said warrant of resurvey was in form aforesaid directed makes return thereof to the Court here thus endorsed to wit. "Not Executed" George H. Dorsey Shff.

And the said George Forbes by his Attorneys aforesaid prays that the rule of Court laid on the said George Forbes and the said Horatio C. McElderry whom the said George Forbes hath survived to reply to the answer of the said John T. Wall in the plea aforesaid may be extended until the first Monday in April next and to him it is granted the same day is given to the said John T. Wall then &c. At which said first monday in April being the first day of the same month in the year of our Lord one thousand eight hundred and twenty two and the day