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that I did on the 29th day of February 1830 serve Robinson Eastburn tenant in possession of the premises, mentioned in the declaration hereunto annexed, or some part thereof, with a true copy of the declaration and notice thereunder written, and hereunto annexed, and at the same time, I read to him the notice thereunder written.

So answers Wm. M'Peall Sum. Sheriff."

Whereupon the said Richard Fenn Lessee as aforesaid by his attorney aforesaid prays, that the said John Dunn the Defendant, the said Robinson Eastburn, the tenant in possession of the premises, or those under whom he claims to the declaration aforesaid may appear. And thereupon the said Robinson by R. B. Taney & C. Nelson Esquires his attornies in pursuance of the notice aforesaid, comes into Court here. Whereupon it is ordered by the Court here, with the consent of the said Richard Fenn Lessee as aforesaid, by his attorney aforesaid, and the said Robinson (who claims the title in question, by his attorney aforesaid, that the said Robinson be admitted Defendant in the place of the now Defendant John Dunn, the casual ejector, and that he plead the general issue to the declaration aforesaid of the said Richard Fenn Lessee as aforesaid: Whereupon on motion of the said Robinson by his attornies aforesaid, leave is given by the Court here to the said Robinson to ascertain his defence and answer to the declaration aforesaid of the said Richard Fenn Lessee as aforesaid, in the plea aforesaid, until the fourth Monday of October next: the same day is given to the said Richard Fenn Lessee as aforesaid also. At which said fourth Monday of October in the year of our Lord one thousand eight hundred and twenty, at which said day the said Robinson had leave to ascertain his defence and answer to the declaration aforesaid of the said Richard Fenn Lessee as aforesaid in the plea aforesaid come again into the County Court here, as well the said Richard Fenn Lessee as aforesaid, by his attorney aforesaid, as the said Robinson by his attornies aforesaid: and the said Robinson by his attornies aforesaid, defends the force and injury when and so forth, and la Res defence according to his pretensions as they shall appear to be laid down on the return of a warrant of resurvey to be 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 Richard Fenn Lessee as aforesaid, above complains against him, and of this he puts himself upon the country, and the said Richard Fenn Lessee as aforesaid in like manner. And thereupon, on the motion of the said Richard Fenn Lessee as aforesaid by his attorney aforesaid, it is ordered by the Court here, that the end 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 Frederick county, in form following, to wit:

Frederick county, to wit. Whereas it is absolutely necessary for the better information of the Court and Jury in the truth of the premises that all that tract or parcel of land called "The Resurvey on Panmore" lying and being in Frederick county be carefully resurveyed and laid out according to the ancient meets and bounds thereof, and to the end that the said land in controversy, and the claims and pretensions of both parties, plaintiff and Defendant, may more fully, plainly and indifferently appear to the Court and Jury. It is ordered by the said Court that the Surveyor of Frederick county for the time being, or any other discreet and skilful person in his absence, to be nominated and appointed by the said plaintiff and defendant in the presence of the Sheriff of the same county, carefully resurvey and lay out as well the said land in dispute as any other

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lands adjoining thereto, which shall be thought necessary by the said plaintiff and Defendant for the better illustration of the matter according to the claims and pretensions as well of the plaintiff in the presence of the Defendant if he thinks fit to be present and without any interruption of the said defendant, as of the defendant in the presence of the plaintiff if he thinks fit to be present and without any interruption of the plaintiff. and the said Sheriff is hereby ordered to give both the said parties notice of the day on which this writ is to be executed, and the said Sheriff is also hereby empowered to examine upon oath any witness or witnesses, that by either of the said parties shall be produced in relation to the same; and the same Surveyor is hereby commanded to return fair certificates and plats thereof drawing the pretensions of the plaintiff in black lines and the pretensions of the Defendant in red lines, as well under the hand and seal of the said Sheriff, as the Surveyor aforesaid, to the Judges of the next county Court to be held at the Court House in Frederick Town in and for said county on the first Monday of March next with this writ, that the said Judges and Jury being rightly informed of the truth of the premises may further proceed therein as to Justice appertains and so forth. Witness John Buchanan Esquire Chief Judge from said Court the 28th day of October 1820. Issued the 11th day of December 1820. John Schley Clk.

And thereupon the same day is given to the parties aforesaid, then and there and so forth. At which said first Monday of March in the year of our Lord one thousand eight hundred and twenty one, and the day of the return of the aforegoing warrant of resurvey, comes again into the county Court here as well the said Richard Fenn Lessee as aforesaid by his attorney aforesaid, as the said Robinson by his attornies aforesaid: and the Sheriff and Surveyor of the county aforesaid to whom the said warrant of Resurvey was in form aforesaid directed, make return thereof to the Court here, with five plats and certificates thereto annexed. Whereupon further process 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 fourth Monday of October next: At which said fourth Monday of October eighteen hundred and twenty one, and the day to which said cause was continued, come again into the County Court here the said Richard Fenn by his attorney aforesaid, and the said Robinson by his attornies aforesaid: Whereupon further process 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 first Monday of March next. At which said first Monday of March eighteen hundred and twenty two, come again into the county Court here as well the said Richard Fenn Lessee as aforesaid by his attorney aforesaid, as the said Robinson by his attornies aforesaid: Whereupon further process 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 fourth Monday of October next: At which said fourth Monday of October eighteen hundred and twenty two, come again into the county Court here, as well the said Richard Fenn Lessee as aforesaid as the said Robinson by his attorney aforesaid: Whereupon further process 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 first Monday of March next. At which said first Monday of March eighteen hundred and twenty three, come again into the county Court here, as well the said Richard Fenn Lessee as aforesaid, by his attornies aforesaid, as the said Robinson by his attorney aforesaid. Whereupon the parties aforesaid by their attornies aforesaid pray leave of the Court here to amend the said plats and certificates returned to the Court here in