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Monday in March to wit, in the year of our Lord one thousand eight hundred and thirty six, until which day the said Mary Ann Smith had leave further to imparle to declare against the said defendants in the plea aforesaid, come again into the County Court here the parties aforesaid by their attornies aforesaid; and the said Mary Ann Smith by her attorney aforesaid prays leave of the Court here further to imparle until the second Monday in August next to declare against the said defendants in the plea aforesaid, and unto her it is granted the same day is given to the said defendants then and so forth At which said second Monday in August to wit; in the year of our Lord one thousand eight hundred and thirty six, until which day the said Mary Ann Smith had further leave to imparle and then to declare against the said defendants in the plea aforesaid come again into the County Court here the said parties by their attornies aforesaid; and the said Mary Ann Smith by her attorney aforesaid prays leave of the Court here further to imparle until the second Monday of March next, to declare against the said defendants in the plea aforesaid and unto her it is granted, the same day is given to the said defendants then and so forth. At which said second Monday in March to wit, in the year of our Lord one thousand eight hundred and thirty seven until which day the said Mary Ann Smith had leave further to imparle and then to declare against the said defendants in the plea aforesaid come again into the County Court here the parties aforesaid by their attornies aforesaid; and the said defendants by their attornies aforesaid offer themselves ready for trial in the plea aforesaid; thereupon the said Mary Ann Smith by her attorney aforesaid suggests to the Court here that she cannot safely proceed now here to the trial of this cause because and so forth therefore it is considered by the Court here that the said John Hannah, Robert Hannah Alexander Hannah and William Hannah the defendants aforesaid recover against the said Mary Ann Smith the sum of _____ dollars and _____ cents for their costs and charges by them sustained about their defence in this behalf since the last continuance of the plea aforesaid. Whereupon by consent of the parties aforesaid by their attornies aforesaid it is ordered by the Court here that testimony taken in this case on one days notice to the plaintiff's attorney be read in evidence on the trial of this cause. And thereupon by consent of the parties aforesaid by their attornies 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 Harford County in form following to wit.

"The State of Maryland, To the sheriff and surveyor of Harford County Greeting: Whereas at a County Court begun and held for Harford County aforesaid at the Court House in the Town of Bel Air in said County on the second Monday of March in the year of our Lord one thousand eight hundred and thirty seven it was so far proceeded in a certain plea of trespass in the said Court depending between a certain Mary Ann Smith plaintiff and a certain John Hannah Robert Hannah Alexander Hannah and William Hannah defendants that it was considered absolutely necessary for the better information of the said Court and the Jury in the truth of the premises, that all such lands as shall be shown to you either by the plaintiff or defendants be carefully resurveyed and laid out according to the ancient metes and bounds thereof as in the original certificate of the survey thereof is expressed to the end that the said lands in controbersey 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 presence of you the said

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"Sheriff are hereby commanded carefully to resurvey and layout as well the said lands in dispute as any other lands adjacent thereto which shall be thought necessary by the said plaintiff or defendant to be laid out for the better illustration of the matter according to the claims and pretentions of the plaintiff in the presence of the defendants, if they being summoned, think fit to be present, and without any interruption of them the said defendant or if absent notice to be left at their places 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 pretentions of the defendant in the presence of the plaintiff if she being summoned think fit to be present, without any interruption of her the said plaintiff or if absent notice to be left at her 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 the said parties shall be produced in relation to the same; and you the said sheriff are hereby ordered to give both the said parties ten days notice, before the execution of this writ, and you the said surveyor are hereby commanded to return five fair certificates and plots therefor, drawing the pretences of the plaintiff in black lines and the pretences of the defendant in pricked lines, as well under the hand and seal of you the said sheriff as you the said surveyor to the Judges of Harford County Court, at the Court House in said County, on the second Monday of August next, that the said Court and Jury being rightly informed of the truth of the premises may further proceed therein as to justice appertains and so forth. Witness the Honorable Stevenson Archer, Chief Judge of our said Court the 23d. day of March in the year of our Lord one thousand eight hundred and thirty seven. Teste the 25th. day of March 1837. Henry Dorsey Clk.

(Seal of Harford County Court)

Thereupon by consent of the parties aforesaid by their attornies aforesaid it is further ordered by the Court here that a commission issue to James M. Borden of Richmond in the State of Indiana to take testimony to be read in evidence on the trial of this cause which accordingly issues directed to the said James Borden in form following to wit.

"Maryland, SS The State of Maryland to James M. Borden of Richmond in the State of Indiana Gentleman Greeting: Be it known that you are appointed commissioner to examine evidences in a cause depending in Harford County between Mary Ann Smith plaintiff and John Hannah Robert Hannah Alexander Hannah and William Hannah defendants therefore you are requested having first taken an oath that you will according to the best of your skill and knowledge truly faithfully and without partiality to any or either of the parties take the examinations and depositions of all and every witness and witnesses produced and examined by virtue of this commission upon the interogatories, now or which may hereafter before the said commission is closed be produced to and left with you by either of the said parties; and also administer to the person an oath whom you shall appoint as clerk, to attend the execution of this commission, that he will truly faithfully and without partiality to any or either of the parties in this case take write down and transcribe the depositions of all and every the witness and witnesses produced before, and examined by the commissioner as far forth as he shall be directed and employed by the said commissioner to take, write down and transcribe the said depositions or any of them; that at such time and place as to you shall seem convenient you cause to come before you all such evidences as shall be named or produced to you by either the plaintiff or defendants; and that you examine them upon their corporal oaths to be by you administered on the Holy Evangelists of Almighty God touching their knowledge or remembrance of any thing that may relate to the cause aforesaid; and that you cause notice to be given to the parties or their attornies of the execution of this commission before you execute the same and having reduced the depositions of the witnesses so taken by you into writing you send the same with this commission closed under your hand and seal to the said County Court with all convenient speed. Witness the Honorable Stevenson Archer chief Judge of our said Court the 23d. day of March in the year of our Lord one thousand eight hundred and thirty seven. Tested the 4th day of July 1837.

(Seal of Harford County Court)

Henry Dorsey, Clk."