County Greeting: Whereas at a County Court begun and held at Elkton on the first
Cecil County Monday of September in the year of our Lord Eighteen hundred and twelve it was
Deeds Place So far proceeded in a certain plea of Trespass and Ejectment in the said Court
depending between the said Titus Goodright Lessee of Sarah Bordley & others Surviving
devisees of John Beal Bordley Plaintiff and a certain Joseph Pennington defendant
that it was Considered absolutely necessary for the better information of the said Court and the
Jury in the Search of the premises that all that tract of land called Painters Rest lying & being
in Cecil County aforesaid containing Nineteen hundred and one acres of land more or less be
carefully resurveyed and laid out according to the reciprocal metes and bounds thereof as in the
Original Certificate of Survey thereof is expressed to the end that the said land 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 resurvey and lay out 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 elucidation of the Matter according to the claims and pretentions of the Plaintiff
in the presence of the Defendant if he being Summoned think 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 pretentions of the defendant in the presence of the Plaintiff if he being sum-
moned 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 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 day of the execution of this writ, and you
the said Surveyor are hereby commanded to return five fair Certificates and plots
thereof, drawing the plaintiffs 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 the County Court to be held at Elkton on the
first Monday of April next, that the said Court and Jury being rightly informed
of the truth of the premises may further proceed therein unto justice appertains and
so forth - Witness the Honorable Richard T Earle Esq Chief Judge of the said
Court the 11th of September A.D. 1812.

Issued the 13th of January Anno Domi 1813. James Sewall Clk.

And the said Joseph Pennington by his said Attorney as before defends the force and
injury when &c and prays further leave of the Court here to imparle until the next
Court and he hath it, and the same day is given to the said Titus Goodright lessee
as aforesaid also &c At which said next Court to wit the first Monday of April
being the fifth day of the same Month Anno Domini Eighteen hundred and thirteen
and the return day of the aforegoing warrant of Resurvey Comes into Court here the
parties aforesaid by their Attornies aforesaid and the Sheriff and Survey of Cecil
County aforesaid to whom the said Warrant of resurvey was in form aforesaid direc-
-ted Makes return thereof to the Court here thus endorsed Viz't,

"Executed. Geo. W Lightner Sheff -

Whereupon on Motion of the said parties by their Attorney aforesaid it is ordered
by the Court here that this cause be continued under leave to add and Amend, by the
by the first Monday of September next and the said order is accordingly delivered to the
Sheriff and Surveyor aforesaid for that purpose Thereupon further process between
the parties aforesaid of and upon the premises aforesaid by Consent of the said parties
and their Attornies aforesaid and by order of the Court here thereon is further continued
till next Court then &c - At which said next Court to wit the first monday of Sep
-tember in the year Eighteen hundred and thirteen Comes again into Court here the
parties aforesaid by their Attornies aforesaid and the Sheriff and Survey or of Cecil County
aforesaid to whom the said Order was in form aforesaid directed and delivered, Whereupon
on Motion of the said parties by their Attornies aforesaid, it is ordered by the Court here
that the said Cause be Continued under further leave to add and Amend by the first

Monday of April next and the same is delivered to the Sheriff and Surveyor of Cecil County
aforesaid for that purpose, thereupon further process of and upon the premises aforesaid be-
tween the parties aforesaid by Consent of the said parties and their Attornies aforesaid and
by Order of the Court here thereon is further continued till the said first Monday of April
next then &c At which said first Monday of April in the year Eighteen hundred
and fourteen Comes into Court here the said Titus Goodright lessee as aforesaid by his
Attornies aforesaid and the said Joseph Pennington by his Attorney aforesaid, and the
said Sarah Bordley and Elizabeth Bordley by their Attornies aforesaid suggests to the
Court here that John L Mifflin one of the parties plaintiff with them the said Sarah and
Elizabeth Bordley in this Cause after the Continuance last aforesaid at the County aforesaid
departed this life leaving them the said Sarah Bordley and Elizabeth Bordley his Survivors
and whom only have survived and which the said Joseph Pennington doth not deny &c
And now also at the same time Comes into Court here the Sheriff and Surveyor of Cecil
County aforesaid to whom the said Order of Court was directed & delivered and makes
return thereof to the Court here with five plots and Certificates thereto annexed.
Whereupon the parties aforesaid by their Attornies aforesaid pray leave of the Court
there to Amend the said plots and Certificates returned to the Court here in this Cause
and add thereto if necessary by the first Monday of September next and to them it is
granted and the same are delivered to the Sheriff and Survey of Cecil County afore-
said for that purpose &c And the said Joseph Pennington by his Attorney aforesaid
prays that the said Titus Goodright Lessee as aforesaid may be ruled to give security for
Costs and Charges in the plea aforesaid whereupon it is ruled by the Court here that the
said Titus Goodright Lessee as aforesaid give security for the Costs of suit in the plea
aforesaid by the second day of September Court next as aforesaid or Judgment will be
rendered against him by default &c. At which said Mentioned September Court in
the year Eighteen hundred and fourteen Comes again into Court here as well the said
Titus Goodright Lessee as aforesaid by William Alexander Jeremiah Cosden and Tobias
Rudulph Esquires his Attornies as the said Joseph Pennington by his Attorney aforesaid
Whereupon Comes into Court here Tobias Rudulph of the County aforesaid and undertakes for
the said Titus Goodright Lessee as aforesaid that if it should happen that the said Titus Lessee
should be Nonsuited or from maintaining his action aforesaid should be precluded, then
the said Titus Goodright Lessee as aforesaid shall pay unto the aforesaid Joseph Pennington
all such Costs and Charges by him about his defence in this part sustained which shall be ad-
judged unto the said Joseph by the Court here or that he the said Tobias Rudulph will do the
same for him - And the said Joseph Pennington by his Attorney aforesaid defends the force and
injury when &c And saith that he is not guilty of the trespass and Ejectment aforesaid in the
Declaration aforesaid mentioned in manner and form as the said Titus Goodright Lessee
as aforesaid above against him Complained and of this he puts himself upon the Country &c
and the said Titus Lessee as aforesaid in like manner &c. Whereupon for trying the issues afore-
said between the parties aforesaid neither joined, it is ordered by the Court here that twenty per-
-sons from the panell of petit Jurors returned to the Court here by the Sheriff of Cecil County
aforesaid be drawn by ballot according to the act of Assembly in such case made & provided, and
thereupon the twenty persons being so drawn by ballot and written upon two lists one of which said
lists is delivered to the Counsel for the respective parties and the Counsel for each of the said
parties having stricken out four persons from the said lists thereupon the remaining twelve per-
-sons being called Come, to wit, Edward H Vaughan Nicholas Hyland Elisha Kirk James
Rowland James Cameron John Conway John H Davidson Thomas Mackey John N Black
William Richetts Thomas Frazier and Alexander Scott who being impannelled and sworn
to try the Issue in the premises - Whereupon for certain reasons as well to the Court here as
to the parties aforesaid appearing one of the Jurors of the Jury neither mentioned from the pan-
-nell aforesaid is withdrawn by Consent of the said parties and by order of the Court here thereon
and the rest of the Jurors of that Jury are wholly discharged from giving any verdict of and
upon the premises neither mentioned - And the said Titus Goodright Lessee as aforesaid by
his Attornies aforesaid suggests to the Court here that he cannot safely go to the trial of this
Cause because &c. Therefore it is considered by the Court here that the said Joseph Pennin-
-ton recover against the said Titus Goodright Lessee as aforesaid his Costs and Charges by him
sustained in and about his defence of this behalf since the last Continuance of the plea afore-
said, And thereupon with Consent of the said parties aforesaid by their Attornies aforesaid and