day and so forth. And whereupon the said John Denn Lessee as aforesaid by his Attorney aforesaid further prays that the said Richard Fenn the Defendant the said William L Horton the tenant in possession of the said premises or those under whom he claims, to the declaration aforesd may appear and answer to his said declaration. Thereupon William L Horton Tenant in possession of the premises in question, comes hereinto Court by William Carmichael his Attorney and thereupon on Motion of the said William L Horton by his said Attorney it is ordered by the Court here that the said William L Horton Tenant of the said premises in question be joined and made defendant in the Common rule by Consent in Ejectment, instead of the Casual Ejector in Case the said William L Horton shall appear; nevertheless the Plaintiff shall be at liberty to sign judgment against the Casual Ejector, but execution is hereby staid until this Court shall make further order therein; and by Consent of the said William L Horton by his Attorney aforesaid It is further ordered that the said William L Horton upon the Trial shall admit himself to be in the Actual possession of the said premises or of such part thereof for which he shall hereafter take defence, and thereupon the aforesaid John Denn Lessee as aforesaid by his Attorney aforesaid declares against the said William L Horton in the Plea aforesaid in manner & form following to wit Maryland Queen Anns County ss William L Horton late of Queen Anns County was attached to answer unto John Denn in a plea wherefore with force and arms at Queen Anns County aforesaid he entered into all that Tract or parcel of plantable land called Matthews Enlargement lying and being on Kent Island in the County aforesaid containing acres of land with the appurtenances which Woolman Gibson and Sarah his — formerly Sarah Elliott, William Wilson & Rachel his wife late Rachel Kelly James, John, Eliza & Henry Kelly heirs of Elizabeth Kelly deceased formerly Elizabeth Elliott, William Henry and Mary Sayler demised to the said John Denn for a term of years which is not yet expired and ejected him from his said farm and other wrongs to the said John there did to the great damage of the said John & against the peace government and dignity of the State of Maryland, and whereupon the said Richard Fenn by Henry Harrison his Attorney Complains that the said Woolman Gibson & Sarah his wife William Wilson and Rachel his wife, James John Eliza and Henry Kelly, William Henry and Mary Sayler heretofore to wit, on the first day of January in the year Eighteen hundred and fourteen at the County aforesaid had demised to the said John Denn all that said Tract or parcel of land called Matthews Enlargement, lying and being on Kent Island in County aforesaid Containing acres with the Appurtenances to have and to hold the same to the said John Denn and his Assigns from the twenty first day of December in the year Eighteen hundred and sixteen for and during and unto the full end and term of fifteen years from thence next ensuing and fully to be Complete and ended, by virtue of which said demise the said John Denn entered into the said tract or parcel of plantable land with the appurtenances, and was possessed thereof being — to possess thereof the said Richard Fenn to wit on the second day of January in the year Eighteen hundred & fourteen aforesaid, with force and arms that is to say with swords, staves & knives at the County aforesaid entered into the said tract or parcel of plantable land, with the appurtenances which the said Woolman Gibson & Sarah his wife, William Wilson & Rachel his wife, James John Eliza and Henry Kelly, William Henry and Mary Sayler had demised to the said John Denn in manner aforesaid for the term aforesaid, which is not yet expired and ejected the said John Denn from his farm aforesaid and other wrongs to the said John Denn then and there did to the great damage of the said John Denn and against the peace government and dignity of the State of Mary land whereof the said John Denn saith he is injured & hath damage to the value of One hundred dollars Current Money of the United States & therefore he brings his suit &c.

Henry Harrison & Henry Selghman Attornies for Pltff. Pledges John Doe & Richard Roe. —

And the said William L Horton by his Attorney aforesaid defends the force and injury when & so forth and takes defence according to his pretensions, 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 John Denn Lessee as aforesaid above complains against him and of this he puts himself on the County and the said John Denn Lessee as aforesaid in like manner. —

And thereupon on Motion of the said John Denn 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 Queen Anns County in form following. Queen Anns County to wit, The State of Maryland To the Sheriff and Surveyor of Queen Anns County Greeting. Whereas at a County Court begun and held at Centreville in said County on the third monday of October in the year of Our Lord One thousand eight hundred and fifteen it was so far proceeded in a certain plea of trespass ejectment in the said Court depending between a certain Woolman Gibson and Sarah his wife and others their lessee Plaintiffs and a certain William L Horton Defendant that it was considered absolutely necessary for the better information of the said Court and jury in the truth of the premises that all that tract or parcel of plantable land called Matthews Enlargement lying and being on Kent Island in the County aforesaid Containing acres of land with the Appurtenances 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 pretensions 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 land adjacent thereto which shall be thought necessary by the said Plaintiffs or Defendant, to be laid out for the better illustration of the matter according to the Claims and pretensions of the plaintiffs 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 pretensions of the defendant in the presence of the Plaintiffs if they being summoned think fit to be present without any interruption of them the said Plaintiffs or if absent notice to be left at their 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 pretensions 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 County Court to be held at Centreville in the said County on the first Monday in May next, that the said Court and jury being rightfully informed of the truth of the premises may further proceed therein as to justice appertains and so forth. Witness the honorable Richard Selghman Earle Esquire Chief Judge of the County Courts in the second Judicial District the 18th day of October Anno Domini Eighteen hundred and fifteen

Seal of Queen Anns County Court.

Issued the 28th day of November 1815. John Browne Clk. —

And thereupon the same day is given to the parties aforesaid then and there and so forth till which said first Monday of May being the sixth day of the said Month in the year of Our Lord Eighteen hundred and fifteen and the day of the return of the aforegoing Warrant of resurvey Comes again into the County Court here as well the said John Denn Lessee as aforesaid, by his Attorney aforesaid, as the said William L Horton by his Attorney aforesaid; and the Sheriff of — County aforesaid to whom the said Warrant of resurvey was in form aforesaid directed, makes return thereof to the Court thus endorsed to wit; "Not executed" so answers Richard Moffett Sheriff. — And the said William L Horton by his Attorney aforesaid defends the force and injury when and so forth, and prays leave of the County Court here to imparle until the third Monday of October next and to him it is granted, the same day is given to the aforesaid John Denn Lessee as aforesaid also; at which said third Monday of October being the twenty first day of the same Month in the year of Our Lord Eighteen hundred fourteen to which said day the said William L Horton had leave to imparle, and then to ascertain his defence comes again into the County Court here as well the said John Denn Lessee as aforesaid as the said William L Horton by their Attornies aforesaid, and thereupon on Motion of the said John Denn 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 again issue in this Cause, and the same being accordingly issued & directed to the Sheriff and Surveyor of Queen Anns County aforesaid in manner & form following to wit, Queen Anns County to wit, The State of Maryland to the Sheriff and Surveyor of Queen Anns County

Seal of Queen Anns County Court.

begun and held at Centreville in said County on the first monday of May in the year of Our Lord One thousand eight hundred and fifteen, it was so far pro-