with the appertenances and was possessed thereof; and being so possessed thereof, the said Richard Fenn afterwards, towit, on the first day of February, Eighteen hundred and seven aforesd. with force and arms that is to say, with Swords, Staves & Knives at the County aforesd. entered into the said tract of plantable land with the appertenances which the said Walter had demised to the said John Denn in manner aforesd. for the term aforesd. which is not yet expired, and ejected the said John Denn from his said Farm 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 & dignity of the State of Maryland &c. Whereupon the said John Denn saith he is injured and hath sustained damage to the value of one hundred pounds current money and therefore he brings suit and so forth. R. Earle atty for plff. pledges John Doe & Rich. Roe —

Sir. I am informed that you are in possession or claim title to the premises in this Declaration mentioned or to some part thereof, and being sued in this action as a Casual Ejector, and having no claim or title to the same premises do advise you to appear in Kent County Court, to be held at Chestertown for the same County on the third Monday of September then next, by some attorney of that Court and then and there by rule of the said Court to cause yourself to be made defendant in my stead, otherwise I shall suffer Judgement to be entered against me and you will be turned out of possession.

To Martha & James Conner. I am yrs &c. Richard Fenn.

A Copy of which said Declaration and notice was made and sent to the Sheriff of Kent County thereon endorsed "to be served on the Defendants Tenants in possession or set up on the premises six days before the next session of the County Court, exclusive of both the day of service and day of return. At which mentioned third Monday of September being the twenty first day of the same month, in the year Eighteen hundred and seven and the return day of the service of a Copy of the aforegoing declaration, comes into the County Court here the said John Denn, lessee of the said Walter Delany by Richard Tilghman Earle, and William Carmichael his Attorneys and the Sheriff of Kent County &c, towit Rasin Gale, Gentleman to whom a Copy of the said declaration in Ejectment and notice aforesd. was in form &c made and sent, certifies to the Court here the service thereof in form following towit. "Kent County sct. I hereby Certify to the County Court, that I did on the ninth day of September in the year Eighteen hundred and seven, serve Martha & James Conner, tenants 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 acquainted them the said Martha Conner and James Conner of the intent and meaning of the said Declaration and notice thereunder written — So answers. Rasin Gale Sheriff." Whereupon the said John Denn lessee as aforesaid by his Attorneys aforesaid prays that the said Richard Fenn, the Defendant the said Martha & James Conner the tenants in possession of the said premises or some part thereof, to the declaration aforesaid may appear, And thereupon by leave of the Court here Martha Conner, James Conner & Benjamin Conner by James Houston their Attorney in pursuance of the notice &c comes into Court here, whereupon it is ruled by the Court here, with consent of the said John Denn lessee as aforesaid, by his attorneys aforesaid & the said Martha James & Benjamin Conner, who claim the title in question by their Attorney aforesaid that the said Martha James & Benjamin Conner be admitted defendants in the place of the now defendant Richard Fenn the casual Ejector and that they immediately receive a declaration and plead thereto; and thereupon the aforesaid John Denn lessee as aforesaid by his attorneys aforesaid declares against the said Martha James & Benjamin Conner in the plea aforesaid in manner and form following towit. "Kent County towit. Martha, James & Benjamin Conner late of Kent County aforesaid, was attached to answer unto John Denn in a plea wherefore with force and arms &c at the County &c

they entered into all that tract of plantable land called The Remains of my Lords Gracious Grant lying and being in the County aforesaid containing Eight thousand acres with the appertenances which Walter Delany 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 Denn there did to the great damage of the said John Denn and against the peace, Government and dignity of the State of Maryland and so forth. And whereupon the said John Denn by Richard Tilghman Earle and William Carmichael his Attorneys complains that the said Walter heretofore, towit, on the first day of January in the year Eighteen hundred and seven at the County aforesaid had demised to the said John Denn all the said Tract of plantable land called "The Remains of my lords Gracious Grant" lying and being in the County aforesaid containing eight thousand acres with the appertenances to have and to hold the same to the said John Denn and his assigns from the first day of January then last past 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 of plantable land with the appertenances and was possessed thereof, and being so possessed thereof the said Martha James & Benjamin Conner, afterwards, towit, on the first day of February Eighteen hundred and seven aforesaid with force and arms that is to say with Swords Staves & Knives at the County aforesaid entered into the said Tract of plantable Land with the appertenances which the said Walter 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 said farm 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 Maryland &c. Whereupon the said John Denn saith he is injured and hath sustained damage to the value of one hundred pounds current money, & therefore he brings suit and so forth.

R. J. Earle, and Wm Carmichael for plff. pledges &c. John Doe and Rich. Roe

And the said Martha James & Benjamin Conner by their attorney aforesaid defends the force and injury when and so forth and takes defence according to their pretensions as they shall appear to be laid down on the return of a Warrant of Resurvey to be issued in this cause and say they are not guilty of the Trespass and Ejectment aforesaid, in the declaration aforesaid mentioned in manner and form by the said John Denn, lessee as aforesaid, in like manner, and thereupon on motion of the said John Denn, lessee as aforesaid, by his attorneys 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 Kent County in form following towit "Kent County, sct. The State of Maryland. To the Sheriff and Surveyor of Kent County, Greeting: Seal of Kent County Court. Whereas at a County Court begun and held at the Court house in the Town of Chester in and for the County of Kent, on the third Monday of September in the year of our Lord one thousand eight hundred and seven, it was so far proceeded in a certain plea of Trespass and Ejectment in the said Court depending between a certain John Denn lessee of Walter Delany, plaintiff and Martha Conner, James Conner and Benjamin Conner 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 that of plantable land called the Remains of my lords Gracious Grant lying and being in the County aforesaid, containing Eight thousand acres with the appertenances be carefully resurveyed and laid out according to the ancient metes & 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 plaintiff or defendants to be laid out for the better illustration of the matter according to the claims and pretensions of the plaintiff in the presence of the defendants