if they being summoned think fit then present and without any interruption of them the said Defendants or if absent notice to be left at their 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 & pretensions of the defendants, in the presence of the plaintiff if he being summoned 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 the same, ten days before the sitting of the next County Court drawing the pretences of the plaintiff in red lines and the pretences of the Defendants in black lines, as well under the hand and seal of you the said Sheriff, as you the said Surveyor, to the said County Court to be held at the Court House in the Town of Chester in & for the said County of Kent on the third Monday of March 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 James Tilghman Esquire Chief Judge of the second judicial district the 25th day of September Eighteen hundred and seven. Signed this 20th day of October 1807. Ben: Chambers Clk. and thereupon the same day is given to the parties aforesaid then and there &c. At which said third Monday of March, being the twenty first day of the same month, in the year eighteen hundred and eight and the day of the return of the aforegoing warrant of resurvey, come into the County Court here the said Martha Conner, James Conner and Benjamin Conner, by their Attorney aforesaid, and also here come Mary Dulany, Grafton Dulany and Sarah Dulany devisees of Walter Dulany by Richard Tilghman Earle and William Carmichael their Attorneys and suggest to the Court here that since the last continuance of the plea aforesaid and before this day, the said Walter Dulany departed this life, and the same is not denied, thereupon it is ruled by the Court here that them the said Mary Dulany, Grafton Dulany and Sarah Dulany, devisees as aforesaid be admitted as plaintiffs in this cause, and the Sheriff and Surveyor of the County aforesaid, to whom the said Warrant of Resurvey in form aforesaid directed, make return thereof to the Court here, with five plots and Certificates thereto annexed, — whereupon the parties aforesaid by their Attorneys aforesaid pray leave of the Court here to amend the said plots and Certificates returned to the Court here, in this cause and to add thereto if necessary, by the third Monday of September next and to them it is granted, and the same are delivered to the Sheriff and Surveyor aforesaid for that purpose. At which mentioned third Monday of September being the nineteenth day of the same month in the year Eighteen hundred and eight come again into the County Court here the parties aforesaid by their Attorneys aforesaid and the said Sheriff and Surveyor of the County aforesaid, to whom the said plots & certificates were delivered for the purpose of amending or adding thereto if necessary return the same to the Court here as amended: Whereupon further process of and upon the premises aforesaid, between the parties aforesaid by consent of the said parties and their attorneys aforesaid and by order of the Court here thereon is further continued until the third Monday of March next. At which mentioned third Monday of March being the twentieth day of the same month in the year Eighteen hundred and nine, come again into the County Court here the parties aforesaid by their attorneys aforesaid and the said Sheriff and Surveyor of the County aforesaid to whom the said plots & Certificates were delivered for the purpose of amending or adding thereto if necessary return the same to the Court here as amended whereupon the parties aforesaid by their Attorneys aforesaid pray leave of the Court here to amend the said plots and Certificates returned to the Court here in this cause and to add

thereto if necessary by the third Monday of September next, and to them it is granted and the same are delivered to the Sheriff and Surveyor aforesaid for that purpose: thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their attorneys aforesaid and by order of the Court here thereon is further continued until the third Monday of September next. At which mentioned third Monday of September being the eighteenth day of the same month in the year Eighteen hundred and nine aforesaid, come again into the County Court here the parties aforesaid by their attorneys aforesaid, and the said Sheriff and Surveyor of the County aforesaid to whom the said plots and certificates were delivered for the purpose of amending or adding thereto if necessary return the same to the Court here as amended, whereupon the parties aforesaid by their Attorneys aforesaid pray leave of the Court here to amend the said plots and certificates returned to the Court here in this cause and to add thereto if necessary by the third Monday of March next and to them it is granted, and the same are delivered to the Sheriff and Surveyor aforesaid for that purpose; thereupon further process of and upon the premises aforesaid, between the parties aforesaid by consent of the said parties and their attorneys aforesaid and by order of the Court here thereon is further continued until the third Monday of March next. At which mentioned third Monday of March, being the nineteenth day of the same month in the year of our Lord one thousand eight hundred and ten, come again into the County Court here the parties aforesaid by their attorneys aforesaid and the said Sheriff and Surveyor of the County aforesaid, to whom the said plots & certificates were delivered for the purpose of amending or adding thereto if necessary return the same to the Court here as amended with the following depositions taken before them, to wit.

The Deposition of John Whittington aged about forty six years sworn in the case of Dulanys heirs and the heirs of James Conner deposeth and says that the land to the eastward of a line shewn to the Sheriff and Surveyor, was about sixteen years past in wood, and taken in possession by Seper Boyer who was then a Tenant on the land claimed by the present defendants about fifteen years past and this deponent further saith not. Test John Hutt. Aug. 2d 1810. — John Whittington

The Deposition of William Spearman aged seventy eight years being sworn on the holy Evangelists of Almighty God, in the case Dulanys heirs at the suing of James Conner deposeth and saith that the place now shewn to the Sheriff and Surveyor is the first corner of Dulanys land, that Elijah Mapey told him so, that Elijah Mapey told him so perhaps ten or fifteen years ago, and this deponent further saith not. William Spearman. D. Gordeing Dep Shff

The Deposition of Archibald Fowler, aged about thirty seven years sworn in the case of Dulanys Heirs and the Heirs of James Conner, deposeth and says that the land to the eastward of a line now shewn to the Sheriff and Surveyor, was about sixteen years past in wood, and taken in possession by Seper Boyer who was then a Tenant in the land claimed by the present defendants. This Deponent further saith not. Given under my hand this 2 day of Aug. 1810. Arch. Fowler.

Test John Hutt D. Shff — Mary Grafton & Sarah Dulany agt James, Benjamin & Martha Conner.

The Deposition of John Whittington aged about forty five years being sworn for the Defendants on the holy Evangelists of Almighty God, deposeth and saith, that the stone now shewn to the Sheriff and Surveyor, is at the beginning of the tract of land called Honest Dealings and this Deponent also saith that the fence he now shows as aforesaid, he knows to have stood where it now is for twenty years, except a Corner to the Northward of the spot shewn by William Spearman, where an old line Tree of Dulanys land was said by Elijah Mapey stood, and this deponent also shows another part of the fence that encloses the plantation of the defendants and says shows part where it now stands about fifteen or sixteen years past. This deponent further saith that the place also showed to the Sheriff and Surveyor is at or near where a Corn house stood which Bable French told him Dulanys line this land through, where he saw it pen odds. This Deponent saith that he never saw the Corn House that he remembers but supposes it was at or near the place now shown. This deponent saith that the information he got from Friends was about twenty years past. This deponent further saith not. January 31. 1810. Edward Milbing Shf. John Whittington