day of December in the year of our Lord eighteen hundred and thirty nine then
next 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 Richard entered into the said nine undivided tenth parts of the three
said several tracts or parcels of plantable Land called "Betty's Delight" "St.
Nicholas Round Hills and Chandlers Hills with the appurtenances and was
possessed thereof and being so possessed thereof the said John afterwards
to wit, on the said day and year first aforesaid, with force and arms that is to
say with sticks and staves at the County aforesaid entered into the said nine
undivided tenth parts of the said three several tracts or parcels of planta-
ble Land called "Betty's Delight," "St Nicholas Round Hills and "Chand-
lers Hills," with the appurtenances which the said James Key had demised to
the said Richard in manner aforesaid for the term aforesaid which is not
yet expired and ejected the said Richard from his said nine undivided
tenth parts of the said three several tracts or parcels of Land called "Betty's De-
light" "St. Nicholas Round Hills" and Chandlers Hills" and other wrongs to
the said Richard then and there did, to the great damage of the said Richard,
and against the peace government and dignity of the State &c. Wherefore
the said Richard saith he is injured and hath sustained damage to the
value of ten thousand dollars and therefore he brings suit &c.

William B. Stone, plaintiffs attorney.

Whereupon the said Richard Roe Lessee as aforesaid by his attorney
aforesaid prays that the said Thomas A. Davis to his declaration aforesaid
may answer and the said Thomas A. Davis by his attorney aforesaid
defends the force and injury when &c. and prays leave of the Court here
to imparle until the third Monday of August next, and then to ascer-
tain their defence, and answer to the declaration aforesaid of the said
Richard Roe Lessee as aforesaid in the plea aforesaid and he has it
the same day is given to the said Richard Roe Lessee as aforesaid &c.

At which said third Monday of August being the sixteenth day of the
same month in the year of our Lord one thousand eight hundred and forty
one to which said day the said Thomas A. Davis had leave to imparle and
then to ascertain his defence, and answer to the declaration of the said Rich-
ard Roe, Lessee as aforesaid in the plea aforesaid come again into the
County Court here, as well the said Richard Roe, Lessee as aforesaid by
his attorney aforesaid as the said Thomas A. Davis, by his said attorney, and
the said Thomas A. Davis by his said attorney as before defends the force and
injury when &c. and takes defence according to his pretentions as they shall ap-
pear to be laid down on the return day of a warrant of resurvey to be issued
in the plea aforesaid, and says that he is not guilty of the trespass and ejectment
aforesaid, in manner and form as the said Richard Roe Lessee as aforesaid hath
above complained against him and of this he put himself upon the Country &c.
and the said Richard Roe, Lessee as aforesaid in like manner &c. Thereupon
the said Richard Roe, lessee as aforesaid by his attorney aforesaid pray the writ
of the State of Maryland of warrant of Resurvey to be issued in this cause,
and the same accordingly issues in form following to wit:

Charles County to wit. The State of Maryland to the sheriff and sur-
veyor of Charles County Greeting: Whereas at a County Court for
Charles County begun and held at Port Tobacco in and for Charles County
aforesaid it was so far proceeded in a plea of trespass and ejectment in the

said Court depending between a certain Richard Roe Lessee of James Key
plaintiff and a certain Thomas A. Davis Tenant defendant that it was con-
sidered absolutely necessary for the better information of the said Court and
jury in truth of the premises that all those three several tracts or parcels of plan-
table land called Betty's Delight, St. Nicholas Round Hills and Chandlers
Hills, lying and being in the County aforesaid be carefully resurveyed and laid
out, according to the ancient metes and bounds thereof as in the original certi-
ficate of survey thereof is expressed, to the end that the said lands in contro-
versy 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 the said sheriff are hereby commanded carefully to resur-
vey and lay out as well the said lands in dispute as any other land ad-
jacent thereto which shall be thought necessary by the said plaintiff or de-
fendant to be laid out to the better illustration 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 resi-
dence or last place of abode, and like survey lay out the same land in dis-
pute as aforesaid according to the claims and pretensions of the Defendant
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 herby empowered to examine upon oath any witness
or witnesses that by either of the said parties shall be produced in rela-
tion 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 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 said Court to be held at Port Tobacco in and for Charles County
aforesaid on the third Monday in March next, that the said Court and
Jury being rightly informed of the truth and premises may further proceed
therein as to Justice appertains and so forth. Witness the Honorable John
Stephen Esqr. Chief — of the first Judicial District of Maryland, the 28th
day of August anno Domini 1841. Issued the 25th day of October
1841. John Barnes, Clk.

The same day is given to the said Richard Roe Lessee as aforesaid and
so forth.

At which said third Monday of March being the twenty first day
of the same month in the year of our Lord one thousand eight hundred
and forty two and the day of the return of the aforegoing warrant of resurvey
comes again into the County Court here, as well the said Richard Roe, Lessee
as aforesaid by his attorney aforesaid as the said Thomas A. Davis by his said
attorney and the sheriff and Surveyor of the County aforesaid, to whom the
said warrant of resurvey was in form aforesaid directed, makes return thereof
to the Court here with five plots and certificates thereto annexed, with the
following Depositions taken before them to wit:

"Richard Roe, Lessee of James Key
vs.
Thomas A. Davis, Tenant.

Ejectment. Resurvey 11th Feby 1842.

James Brawner aged 54 years.