guilty of the said supposed trespass and ejectment above laid to his charge in manner and form as the said plaintiff hath above complained against him, and of this he puts himself upon the country, &c.

And the said John Doe Lessee as aforesaid, doth the like. And the said Granite Manufacturing Company by their attorney aforesaid takes defence according to their pretentions as they shall appear to be laid down on the return of a warrant of resurvey to be issued in this cause.

Thereupon further process of and upon the premises between the parties aforesaid, by order of the Court here thereon is continued until the fourth Monday in November next.

At which said fourth Monday in November, to wit, in the year last aforesaid come again into the Circuit Court here the parties aforesaid by their attorneys aforesaid.

Thereupon as before further process of and upon the premises between the parties aforesaid, with the consent of the said parties by their attorneys aforesaid and by order of the Court here thereon is further continued until the first Monday in March then next.

At which said first Monday of March term in the year 1853, come again into the Circuit Court here the parties aforesaid by their attorneys aforesaid. And the said parties filed in Court here the following agreement to wit:

Charles Carroll's Lessee vs. The Granite Manufacturing Company. — Circuit Court of Baltimore County. Ejectment.

It is agreed in the above case that William Dawson shall be the Surveyor to execute in like same manner as the County Surveyor the surveys which may be directed by either or both the parties in the above cause.

G. L. Dulany. S. H. Tagart Pltff's Attys.
Dobbin & Talbott Defts Attorneys.

And the said John Doe Lessee as aforesaid by his attorneys aforesaid filed in Court here, the following order to issue warrant of resurvey to wit:

Charles Carroll's Lessee vs. The Granite Manufacturing Company. June 28. 1853. — In Circuit Court for Baltimore County. Ejectment.

Mr. Fitzhugh Issue warrant to the Sheriff to make survey in this case.

S. H. Tagart Pltff's attorney.

And the same accordingly issued directed to the Sheriff of Baltimore County and William Dawson Surveyor and then delivered returnable on the fourth Monday of November next the same day is given to the parties aforesaid then and there &c. At which said fourth Monday of November to wit: in the year last aforesaid, come again into the Circuit Court here the parties aforesaid by their attorneys aforesaid and the Sheriff and Surveyor make no return to the Court here of the warrant of Resurvey aforesaid, nor does it appear to the Court here that there has been any thing done therein.

Thereupon further process of and upon the premises aforesaid between the parties aforesaid with the consent of the said parties by their attorneys aforesaid and by order of the Court here thereon is continued (with leave to complete the survey under the warrant heretofore issued in this cause) until the first Monday in March next.

At which said first Monday in March to wit, in the year

Eighteen hundred and fifty four come again into the Circuit Court here the parties aforesaid by their attorneys aforesaid. And the Sheriff of the County aforesaid and the surveyor aforesaid, to whom the warrant of resurvey aforesaid was directed and delivered and under which leave was given to complete the survey, made return to the court here in pursuance thereof of the plats and explanations thereof. Thereupon further process of and upon the premises between the parties aforesaid, with the consent of the said parties by their attorneys aforesaid and by order of the Court here thereon is continued until the fourth Monday of November next. At which said fourth Monday of November to wit, in the year aforesaid come again into the Circuit Court here the parties aforesaid by their said attorneys.

Whereupon further process of and upon the premises between the parties aforesaid, with the consent of the said parties and by order of the Court here thereon is continued until the first Monday of March next.

At which said first Monday of March to wit, in the year 1855 came again into the Circuit Court here the parties aforesaid by their attorneys aforesaid: and the following agreement or order was filed to wit:

Carroll vs. Granite Manufacturing Company. — In Circuit Court of Baltimore County.

Mr. Fitzhugh. Let Mr. Dawson the surveyor have the Plats filed in this case for the purpose of amending the same.

Baltimore Nov. 19. 1855.

S. H. Tagart for Plaintiff
Dobbin & Talbott atty for Defts.

And the said Plats and explanations were delivered accordingly.

Thereupon further process of and upon the premises between the parties aforesaid, with the consent of the said parties, by their attorneys aforesaid and by order of the Court here thereon is continued until the fourth Monday in November next.

At which said fourth Monday in November to wit: in the year last aforesaid come again into the Circuit Court here as well the said John Doe Lessee as aforesaid by his attorneys aforesaid as the said Granite Manufacturing Company of Baltimore by George W. Dobbin, William A. Talbott and Nelson Poe Esquires their attorneys, And the surveyor aforesaid to whom the said platts and explanations were delivered for the purpose of amending and adding thereto if necessary returns the same to the Court here as amended.

(See agreement on page 24)

Whereupon the following agreement was filed to wit:

Carroll's Lessee vs. The Granite Manufacturing Company. — Circuit Court of Baltimore County.

It is agreed in the above cause that the title to all the property in dispute therein is out of the State of Maryland and that the lessor of the plaintiff holds his title by regular deduction from the division deed between Elias, George, John & Jonathan Ellicott of the 9th September 1812 & under the deed from the Union Bank given in evidence, according to its true location, which is not admitted: in like manner it is admitted that the defendants hold their title by regular deduction from the same deed of division and under their lease from Miller & Leitch also given in evidence according to its true location which is not admitted. That the above admissions are given in evidence with the rest of the proof in the cause, and to be taken in connection with it.

G. L. Dulany Pltff's atty. Dobbin & Talbott for Defts