of law that the appeal prayed by him in the case of John Swan and others, lessee against him being No 31 - Trials January Term 1868 of the Circuit Court for Allegany County, is not taken for delay.

Sworn before me
John B. Widener J.P.

The instructions of the plaintiff and defendant given to the Sheriff in the execution of the warrant of Resurvey — the warrant of Resurvey issued in this cause — the notice of the execution thereof given by the Sheriff, and the copy of the Patent of "Skipnish" in the papers, are in the words following to wit;

Defendants Instructions.

John Swan & others, lessee, vs Nelson Baker, } In the Circuit Court for Allegany County, State of Maryland.

In the above case on behalf of the defendant locate as follows;

1st Locate Land Office Treasury Warrant of the State of Virginia, Number Twenty one thousand four hundred and forty three issued the 23d of December 1783, to John Hooker assignee of Robert Hooker, assignee of Richard Graham,

2nd The assignment from Richard Graham to Robert Hooker, and the latter assignment to John Hooker,

3rd The Deed from John Hooker, and wife (Susanah Hooker) to John Hoye bearing date the 15 day of April in the year 1805,

4th Locate the certificate for the tract of land called "Rattler" and the assignment of the same - from John Hoye to Daniel I Hoye,

5th The patent from the State of Maryland to Daniel I.

Hoye for the tract of land called "Rattler"

6th Also all natural and artificial objects which may be pointed out to you by the Witnesses on the ground and also the possessions of the defendant and those under whom he claims as pointed out to you by witnesses,

7th The bond of conveyance from Daniel I. Hoye to Nelson Baker, for the tract of land called Rattler, dated May, 8th 1861,

Thomas Perry
P. Devecmon
Attys for defdt.

Plaintiffs Instructions

John Swan & others Lessees vs Nelson Baker, } In the Circuit Court for Allegany County.

To James - Chisholm Surveyor of Allegany County.

In the above cause, you will locate for the plaintiff the tract of land called "Skipnish" according to its original courses and distances and calls, with such variation of the compass as you may find necessary as the beginnings and calls may be shown by Witnesses on the ground or ascertained by running,

You will also locate the first seven lines of the tract of land called, "The Land Flowing with milk and Honey," Commencing at the four White Oaks and Stone marked R. O. 1832, as the same shall be shown to you by witnesses on the ground,

You will also locate the lines of all the Military lots called for by the lines of "Skipnish;