Garret Stonebreaker to ascertain his defence, and answer to the declaration aforesaid of the said Titus Justice Lefsee as aforesaid in the plea aforesaid until the second Tuesday of October next; the same day is given to the said Titus Justice Lefsee as aforesaid also.

At which said second Tuesday in October being the fourteenth day of the same month in the year of our Lord One thousand seven hundred and sixty eight till which said day the said Garret Stonebreaker had leave to ascertain his defence and answer to the declaration of the said Titus Justice Lefsee aforesaid in the plea aforesaid, comes again into the General Court here as well the aforesaid Titus Justice Lefsee aforesaid, by his Attorney aforesaid as the aforesaid Garret Stonebreaker by his attorney aforesaid, and the said Garret Stonebreaker by his Attorney aforesaid, defends the force and injury when and so forth; and takes defence accordingly to his pretensions, as they shall appear to be laid down on the return of a warrant of resurvey, to be issued in this cause, and says that he is not guilty of the trespass and Ejectment aforesaid in the — declaration aforesaid mentioned, in manner and form as the said Titus Justice Lefsee as aforesaid above complains against him and of this he puts himself upon the Country, and the said Titus Justice Lefsee as aforesaid, in like manner; and thereupon on the motion of the said Titus Justice Lefsee as aforesaid, by his Attorney 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 of Washington County in form following, to wit;

State of Maryland whereas at a General Court held at the City of Annapolis on the 14th day of October last the

Christian Pinkleys Lefsee } plaintiff and defendant by their Attornies
vs } aforesaid and this Cause standing for
Garret Stonebreaker }

trial and that it is absolutely Necessary for the better information of the Court and Jury in the truth of the premises that all that tract or parcel of plantable Land lying in Washington County called the Resurvey or Kelly's Delight containing one hundred and seventy Acres of Land more or less be carefully resurveyed and laid out — according to the ancient Miles and bounds thereof as in the — original Certificate of survey thereof is expressed and to the end that the said Land in Controversy and and the claims and pretensions of

of both parties may more plainly and indifferently appear to the Court and Jury; It is ordered by the said Court that the Surveyor of Washington County for the time being or any other discreet and skilfull person in his absence to be nominated and appointed by the said Plaintiff and Defendant in the presence of the Sheriff of the said County carefully resurvey and lay out as well the said Land in dispute as any other the Lands adjacent thereto which shall be thought necessary by the said Plaintiff or Defendant 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 Defendant if he being summoned think fit to be present and without any interruption of the said Defendant or if absence notice to be left at his place of residence or last place of abode and likewise survey and lay out the same Land in Dispute 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 the Plaintiff or if absent notice to be left at his place of residence or at his last place of abode and the said Sheriff is hereby ordered to give both the said parties thirty days notice before the day of the execution of this writ and the said Sheriff is 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 the same surveyor is hereby commanded to return five fair Certificates and plots therefore drawing the pretences of the Plaintiff in black lines and the pretences of the defendant in pricked lines as well under the hands and seals of the said Sheriff as the surveyor to the Judges of our General Court to be held at the City of Annapolis the second Tuesday of May next that the said Judges and Jury being rightly informed of the truth of the premises may proceed therein as to Justice appertains Witness the Honble Robert Hanson Harrison Esquire chief Judge of our said Court the 18th day of November Anno Domini 1788.

John Gwinn, Clerk.

Issued the 9th day of January 1789.

And thereupon the same day is given to the parties aforesaid then and there and so forth.

At which said second Tuesday of May being the twelfth day of the same Month in the year of our Lord One thousand seven hundred and eighty nine and the day of the return of the aforegoing Warrant of resurvey comes again into the General Court here as well the said Titus Justice Lefsee as aforesaid by his Attorney aforesaid as the