John Henry Maccubbin's Lessee against Stephen Hancock.

Be it remembered, that heretofore towit, on the Sixth day of April in the year of our Lord One thousand seven hundred and ninety seven,

John Henry Maccubbin by Nicholas Brice his attorney sued forth out of the General Court here, the writ of the State of Maryland of Capias ad respondendum, against Stephen Hancock, directed to the Sheriff of Anne Arundel County in form following towit. — The State of Maryland Sc. To the Sheriff of Anne Arundel County, Greeting. We command you that you take Stephen Hancock late of Anne Arundel County yeoman, if he shall be found in your bailiwick, and him safe keep, so that you have his body before the Judges of our General Court, to be held at the City of Annapolis on the second tuesday of May next, to answer unto John Henry Maccubbin in a plea wherefore with force and arms and so forth, he the said Stephen Hancock the close of him the said John Henry in Anne Arundel County aforesaid called Poplar Ridge, broke and entered and his grass there growing to the value of Ten pounds with his feet and the feet of his servants by his and their walking thereon trod down and consumed and his trees towit, one hundred Oaks of the value of fifty pounds current money, one hundred Pines of the value of fifty pounds current money, and sixty Hickories of the value of Twenty pounds current money there in the said close lately growing cut down took carried away and converted to his own use and other harms to the said John Henry there did to the great damage of the said John Henry and against the peace &c. Hereof fail not at your peril, and have you then and there this writ. Witness the honorable Robert Goldsborough Esquire chief Judge of our said Court, the twelfth day of December anno domini 1796. — Issued the 6th day of April 1797. — N. Brice. — Jno. Gwinn Clk.

Whereupon the said John Henry Maccubbin by his attorney aforesaid, declared against the said Stephen Hancock in the plea aforesaid, in form following, (a copy whereof was made and sent to the Sheriff of Anne Arundel County endorsed, to be served on the Defendant with the writ or left at his last place of abode at least twenty days before the return thereof and so forth) towit. — Western Shore, State of Maryland, Anne Arundel County Sc. Stephen Hancock late of Anne Arundel County yeoman was attached to answer unto John Henry Maccubbin in a plea wherefore with force and arms and so forth, he the said Stephen Hancock the close of him the said John Henry in Anne Arundel County aforesaid called Poplar Ridge, broke and entered and his grass there growing to the value of Ten pounds with his feet and the feet of his servants by his and their walking thereon trod down and consumed and his Trees towit One hundred Oaks of the value of fifty pounds current money One hundred Pines of the value of fifty pounds current money and sixty Hickories of the value of Twenty pounds current money, there in the said Close lately growing cut down took, carried away and converted to his own use and other harms to the said John Henry there did to the great damage of the said John Henry and against the peace &c. And

Whereupon the said John Henry Maccubbin who is under the age of Twenty one years towit, of the age of fifteen years, by Ann Maccubbin his prochein amy complains of the said Stephen for this that the said Stephen on the first day of March seventeen hundred and ninety six with force and arms at the County aforesaid the close of him the said John Henry Maccubbin called Poplar Ridge did break and enter and the grass there growing to the value of Ten pounds current money, with his feet and the feet of his servants by walking, trod down and consumed and his trees there lately growing towit, One hundred Oaks of the value of fifty pounds current money One hundred Pines of the value of fifty pounds current money and sixty Hickories of the value of Twenty pounds current money cut down took carried away and converted to his own use. The Trespass aforesaid as to the treading down and consuming the grass by walking aforesaid from the said first day of March seventeen hundred and ninety six abovementioned unto the fourth day of April seventeen hundred and ninety seven at sundry days and times continuing, and other outrages in the time aforesaid to the said John Henry did to the great damage of the said John Henry and against the peace of the State of Maryland. Whereby he hath received great damage to the value of Two hundred and fifty pounds current money: Wherefore Suit is brought &c. &c. —

N. Brice attorney for Plff. — Pledges Co. John Doe & Richard Roe

At which said Second tuesday of May in the year of our Lord One thousand seven hundred and ninety seven, being the day of the return of the aforegoing writ, comes into the General Court here, the said John Henry Maccubbin by his next Friend and attorney aforesaid, and the Sheriff of Anne Arundel County to whom the said writ was in form aforesaid directed, makes return thereof to the Court here, thus endorsed towit. — Capi, Copy left 27th April 1797 — Richd. Harwood, Sheriff. — Whereupon the said Stephen Hancock by Philip Barton Key appears in Court here; and on the motion of the said John Henry Maccubbin by his next Friend and 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 and Surveyor of Anne Arundel County, in form following towit. — The State of Maryland, towit; Whereas at a General Court, begun and held at the city of Annapolis on the second tuesday of May in the year of our Lord One thousand seven hundred and ninety Seven, the plaintiff and Defendant, by their attornies, appeared, and this cause standing for trial, and for 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 land called Poplar Ridge lying and being in Anne Arundel County, be carefully resurveyed and laid out according to the ancient metes and bounds thereof, as in the original certificate of survey thereof is expressed: And, to the end that the said lands in controversy, and the claims and pretences of both parties, may more plainly and indifferently appear to the Court and Jury — It is ordered, by the said Court, That the Surveyor Anne