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 Baltimore county in form following to wit.

Cornelius Howard's lessee against John Cromwell

The State of Maryland to wit. Whereas at a general Court began and held at the City of Annapolis on the second tuesday of May anno Domini seventeen hundred and ninety five the plaintiff and Defendant by their attornies aforesaid, 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 the following tracts of land called Howards Inheritance resurveyed, Water Oak Ridge and Rosland with the appurtenances thereto belonging situate in Baltimore county be carefully resurveyed and laid out according to the antient 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 pretenses 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 Baltimore County for the time being or any other discreet and skilful person in his absence to be nominated and appointed by the said plaintiff and Defendant and in the presence of the Sheriff of the said County carefully resurvey and lay out, as well the said lands in dispute as any other land 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 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 residence, or last place of abode; and likewise survey and lay out the same lands in dispute as aforesaid, according to the claims and pretencions 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 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 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 same surveyor is hereby

commanded to return five fair certificates and plots thereof, drawing the pretenses of the plaintiff in black lines, and the pretenses 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 on the second tuesday of October next, that the said Judges and Jury being rightly informed of the truth of the premises, may further proceed therein as to Justice appertains and so forth. Witness the Honourable Samuel Chase Esq.r chief Judge of our said Court the thirtieth day of May anno Domini one thousand seven hundred and ninety five.

Issued the 30th day of May 1795. (L.S.) John Guerin clk

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

At which said second tuesday of October being the thirteenth day of the same month in the year of our Lord one thousand seven hundred and ninety five, and the day of the return of the aforegoing warrant of resurvey, comes again into the General Court here as well the aforesaid Thomas Goodright lessee of the aforesaid Cornelius Howard by his attorney aforesaid, as the said John Cromwell by his attorney aforesaid; but the Sheriff and Surveyor of the county aforesaid, to whom the said warrant of Resurvey was in form aforesaid directed, makes no return thereof, to the court here, and file in Court here the following Depositions taken before them to wit

The Deposition of John Eager Howard aged about 45 years taken on a Resurvey pursuant to a warrant from the General Court in a cause depending in said Court Cornelius Howards lessee against John Cromwell, taken this 6th day of August 1795. who being duly sworn deposeth and saith that he has frequently, about 30 years ago, been shown a stone which lay on the ground at or near the place where he now stands as the beginning of a tract of land called Howards Inheritance and he believes the stone which is now standing in the ground at this place is the same that was formerly shown him as aforesaid. J. E. Howard

The further Deposition of John E. Howard taken at a white oak tree which stood at or near the place where he now is as the beginning tree of a tract of land called Water oak Ridge — that as he was travelling a road which passed very near this place, at the time above mentioned with John Marsh deceased, and other persons he was shown the said tree as the bounded tree above mentioned (to the best of his recollection) by the said Marsh, and he believes the tree now standing at the place where he now is to be the same tree as was shown him as aforesaid. J. E. Howard