and certificates returned to the Court here in this cause and to add thereto if necessary, by the second tuesday of May next and to them it is granted, and the same are delivered to the Sheriff and surveyor of the County aforesaid for that purpose. Thereupon further proceeds of and upon the premises aforesaid between the parties aforesaid, by order of the Court here thereon is further continued until the said second tuesday of May next &c. And now at this day to wit the said second Tuesday of May being the twelfth day of the same month in the year of our Lord one thousand eight hundred and one, comes again into the General Court here as well the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard by Luther Martin and Philip Barton Key his attornies aforesaid, as the said John Cromwell by John Thomson Mason, Walter Dorsey and Zebulon Hollingsworth his attornies: And the said Sheriff and Surveyor of the County aforesaid to whom the said plots and certificates were delivered for the purpose of amending or adding thereto if necessary, return the same to the Court here as amended with the following Deposition taken before them to wit

The Deposition of John Marsh being of the age of fifty seven years, taken this 10th April 1801 at the Instance of Deft John Cromwell Defendant in a suit pending between him and Cornelius Howard plaintiff all living in the county of Baltimore and State of Maryland. The fence which I shewed the Surveyor this day, has been standing in the place where it now is, from ten to twelve years agreeable to the best of my knowledge – which I understood to have been put up by Stephen Selmerdine and Robert Lyon.

Question by Cornelius Howard, Did you or did you not understand by the same information that Stephen Selmerdine and Robert Lyon came and drove my people away from work at this place, and afterwards mustered their own people to put up the said Fence, ? Answer. I did

John Marsh

Whereupon on motion of the said John Cromwell by his attornies aforesaid, It is ordered by the Court here that the said John Cromwell ascertain and narrow his pretentions and Defence on the plats returned in this cause on payment of the costs and charges which the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard hath mistained about his suit in this behalf: and thereupon the said John Cromwell by his

attornies

attornies aforesaid takes Defence for the tract of land called Mister Ogle as located (on the plots returned in this cause) in red dotted lines, and for the tract of land called Addition to Simpkins Repose located in Green lines and Snugglafs Glade enlarged in blue lines: and thereupon it is agreed between the parties aforesaid by their attornies aforesaid that this case does not depend upon the location of the first seven lines of Mister Ogle, but that the true location thereof, lays that land clear of the lines of the land called Mount Organ. It is also agreed that the Defendant claims no part of the land called Howards Inheritance resurveyed as located on these plats as included within the lines of Mister Ogle. It is therefore considered by the Court here that the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard recover against the said John Cromwell the sum of two hundred and twenty five dollars fifty four cents and quantity of six thousand six hundred and twenty pounds of tobacco for his costs and charges by him about his suit in this behalf expended, and now by the Court here ordered and adjudged unto the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard, by reason of the said John Cromwell narrowing his pretentions and defence on the plots returned in this cause: and thereupon the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard, by his attornies aforesaid prays that the same Henry Holdfast, the casual ejector the Tenant in possession, or those under whom they claim, to the Declaration aforesaid may answer, as to all the land therein mentioned, for which no defence is taken on the plots returned in this cause, but the said Henry Holdfast nor the said John Cromwell nor any other person or persons whatever appear to the Declaration aforesaid, nor in any manner make answer thereto, as to the land aforesaid but make default: Therefore it is considered by the Court here that the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard, recover against the said Henry Holdfast his term aforesaid yet to come, and not expired, of in and to all the land in the Declaration aforesaid mentioned (for which no defence hath been taken on the plots returned in this cause) with the appurtenances, and that the aforesaid Thomas Goodright Lessee of the aforesaid Cornelius Howard have thereof his possession against the said Henry Holdfast; whereupon this cause standing ready for trial, let a Jury thereon appear before the Court here, immediately by whom and so forth, and who neither and so forth to recognize and so forth, because as well and so forth: Whereupon for trying the issue aforesaid it is ordered by the Court here, that twenty persons from the panel of petit Jurors returned to the Court here by the several sheriffs of the different Counties of the Western shore be drawn by ballot according to the Act of

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