files in Court here the following affidavit, to wit,

Philip Hammonds and others Lessees
vs
John Norris

Ejectment in the General Court

Philip Hammonds one of the plaintiffs in the above cause maketh oath that Daniel Dorsey who he hath been informed hath removed to the Genesee County and Jonathan Wood who resides in Kentucky are material evidences for the plaintiffs in this cause, and he is advised that the plaintiffs cannot safely proceed to trial without the benefit of their Testimony. Sworn to in open Court this 19th day of May 1801

John Guinn Clk

which being by the Court here seen, and for that the suggestion of the said Corporal Trim lessee as aforesaid being sufficiently proved to the Court here according to the act of Assembly in such case made and provided the same are granted him, whereupon the said Corporal Trim lessee as aforesaid, and the said John Norris by their attornies aforesaid pray the Court here, that the same commissions may be directed to Peregrine Fitzhugh, James Reed, and Samuel Baker gentlemen of Genesee in the State of New York aforesaid, and that they or two or any one of them examine & return able to the Court here with all convenient speed, and also to George Brangle, Christian Brangle and Philemon Ridgely gentlemen near Beards Town in the State of Kentucky aforesaid, and that they or two or any one of them examine &c returnable to the Court here also, with all convenient speed &c. and thereupon the same commissions are issued accordingly And it is agreed between the parties aforesaid by their attornies aforesaid if the commissions aforesaid and not returned to the Court here at the next Term, it will be no cause of continuance at next Term Whereupon the parties aforesaid by their attornies aforesaid pray further leave of the Court here to amend the said plats and certificates

and leave thereto if necessary by the second Tuesday of October next and to them it is granted, and order thereon is made and sent to the Sheriff and surveyor of the County aforesaid for that purpose. Thereupon further proceed of and upon the premises aforesaid, between the parties aforesaid by consent of the said parties and their attornies aforesaid and by order of the Court here thereon, is further continued until the said second Tuesday of October next

At which said second Tuesday of October being the thirteenth 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 doth the said Corporal Trim lessee as aforesaid by his attornies aforesaid as the said John Morris by John Thomson Mason, Arthur Shaff and Robert Goodloe Harper his attornies, and the said Sheriff and surveyor of the County aforesaid, to whom the said plats and certificates were delivered for the purpose of amending or adding thereto if necessary make no return thereof to the Court here Thereupon on motion of the parties aforesaid by their attornies aforesaid; It is ruled by the Court here that the surveyor of Frederick County aforesaid attend this Court immediately and show cause why the plats in this suit are not returned to the Court here, and the said Christian Brangle one of the commissioners named in the said commission to the State of Kentucky aforesaid made and directed in pursuance of the request in the said Commission, makes return thereof to the Court here of the said commission Interrogatories and depositions before him taken as follows, to wit

Maryland Sct. The State of Maryland To George Brangle, Christian Brangle and Philemon Ridgely of the State of Kentucky gentlemen. Know ye, that you or any or any two or one of you are appointed commissioners to examine witnesses in a cause depending in the General Court for the Western Shore of the said State, Between Philip Hammond and others Lessees plaintiffs against John Morris defendant Therefore we you or