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 & pretensions 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 pretensions of the defendant in the presence of the plaintiff, if he being summoned think fit to be present and 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 you the said Sheriff are 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 you the said Sheriff are hereby ordered to give both the said parties thirty days notice before the day of the execution of this writ: and you the said surveyor are hereby commanded to return five fair certificates and plats therefor 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 you the said Sheriff as you the said Surveyor to the General Court to be held at the City of Annapolis on the second Tuesday of May next that the said Court and Jury being rightly informed of the truth of the premises may further proceed therein as to Justice appertains and so forth. Witness the honorable Jeremiah Townley Chase Esquire Chief Judge of the said Court the eighth day of October in the year of our lord one thousand seven hundred and ninety nine

John Gwinn Clk.

Filed the 5th day of November 1799.

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 thirteenth day of the said Month in the year of our Lord one thousand eight hundred and the day of the return of the aforegoing warrant of Resurvey comes again into the General Court here as well the said Paul Bigot Lessee as aforesaid by his Attornies aforesaid as the said Philip Hammond by his attornies aforesaid and the Sheriff and surveyor of Anne Arundel County aforesaid to whom the said Warrant of Resurvey was in form aforesaid directed make return thereof to the Court here that they had in virtue of the warrant of Resurvey aforesaid proceeded to execute the same but that they had not been able fully to complete the said survey as by the said warrant of Resurvey they are commanded and so forth. Whereupon the parties aforesaid by their attornies aforesaid file in Court here an agreement in form following to Wit: It is agreed that the plots and certificates in the former ejectment of Philip Hammond against John Ashton in the General Court shall be used

in this cause. It is also agreed that the depositions formerly taken on the said survey between the said Philip Hammond against John Ashton shall be read in evidence in the present cause so far as the depositions contain legal and proper testimony but each party shall be at liberty to make any addition or alteration to the said Plots and if they think proper summon any of the witnesses where Depositions were taken.

June 28th 1800 — P. Hammond

Test. Arthur Shaaff. — John Ashton

Whereupon the parties aforesaid by their Attornies aforesaid pray leave of the Court here to amend the said plots and certificates filed in the said case of Philip Hammond Lessee against John Ashton and to add thereto if necessary by the second tuesday of October next and to them it is granted and the same are delivered to the Sheriff and surveyor of Anne Arundel County aforesaid for that purpose and the same day is given to the parties aforesaid then &c.

At which said second Tuesday of October being the fourteenth day of the said month in the year of our Lord one thousand eight hundred and the day of the return of the said plots and certificates, comes again into the General Court here as well the said Paul Bigot Lessee as aforesaid by his Attornies aforesaid as the said Philip Hammond by his attornies aforesaid & the Sheriff and surveyor of Anne Arundel 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. Whereupon the parties aforesaid by their attornies aforesaid pray further leave of the Court here to amend the said plots 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 Anne Arundel County aforesaid for that purpose and the same day is given to the parties aforesaid then &c.

At which said second Tuesday of May being the twelfth day of the said month in the year of our Lord one thousand eight hundred and one, and the day of the return of the said plots and certificates comes again into the General Court here as well the said Paul Bigot Lessee as aforesaid by his attornies aforesaid as the said Philip Hammond by his attornies aforesaid: and the Sheriff and surveyor of Anne Arundel 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. Whereupon the parties aforesaid by their attornies aforesaid pray further leave of the Court here to amend the said plots and certificates returned to the Court here in this cause and to add thereto if necessary by the second tuesday of October next and to them it is granted and the same are delivered to the Sheriff and surveyor of Anne Arundel County aforesaid for that purpose thereupon further process of