Whereupon the said Thomas Purnell & Parker Selby by Edmund Jennings their Attorney say that whereas they & the said Philip Selby together & undivided hold the aforesd tract of land of one thousand four hundred Acres with the Appurtenances whereof it appertains to the said Philip & his heirs to have two hundred Acres of the said fourteen hundred Acres of land with the Appurtenances to be divided into three Parts And it appertains to the said Thomas Purnell & his heirs to have five hundred Acres being divided into three Parts as aforesd with the Appurtenances And it appertains to the Parties Selby to have Seven hundred Acres of land the remaining Part of the said fourteen hundred Acres with the Appurtenances divided into three Parts aforesd to be held to them severally so that the said Thomas Purnell of his aforesd part of the said tract of Land with the Appurtenances belonging to the said Thomas Purnell And the said Parker Selby of his aforesd Part of the said tract of Land with the Appurtenances belonging to the said Parker Selby And the said Philip Selby of his aforesd Part of the said tract of land with the Appurtenances belonging to the said Philip may not approve to themselves seperately the said Philip Selby doth not to make a Partition thereof between them according to the form of the Statute in that Case provided & unjustly do not permitt it to be made against the form of the said Statute &c Wherefore they say that they are endamaged And have loss to the Value One hundred Pounds Sterling And there of they bring this Suit &c

Pledges &c Johnet Doe & Richard Roe —

At which said third Tuesday of October to wit the 17th Day of the same Month Anno Domini 1727 being the Day of the return of the same Writ Comes the said Thomas Purnell and Parker Selby by their Attorney aforesd And the Sheriff of Somerset County to whom the same Writ was directed likewise Comes & makes return thereof to the Court here thus Endorst (Viz) Summon before Johnson Hill and Matthew Hopkins Esqrs Upon yo 11th Annoq Dom 1727 & Copy of the Declaration delivered in time &c

Franciscus Shiel

Whereupon the said Thomas Purnell & Parker Selby by their Attorney aforesd Pray — that the Philip Selby to their Declaration aforesd may answer But the said Philip Selby altho solemnly Called Comes not but makes Default whereby the said Plfts remain against the said Defdt wholly undefended —

Therefore it is considered by the Justices here this 17th Day of October Anno Domini 1727 aforesd that Partition between them the said Thomas Purnell & Parker Selby & the said Philip Selby of the Land & Premisses aforesd with its Appurtenances be made &c — And the said Philip Selby in Mercy &c ——

And thereupon Command is given to the Sheriff of Somerset County that taking with him Twelve Good & Lawfull Men of the Neighbourhood by whom the truth of the Premisses may be the better known in his proper Person to go upon the Land & Premisses aforesd with its Appurtenances & thereon by their Oaths in the Presence of the Parties aforesd by him to be Summoned if they think fit to be present the same Land and Premisses with its Appurtenances by the Oaths of the same Twelve Good & Lawfull Men — with due respect had to the true Value of the said Land & Premisses with its Appurtenances to be divided (that is to say) to the said Philip & his Heirs two hundred Acres of the said fourteen hundred Acres of Land with the Appurtenances to be divided into three Parts to the said Thomas Purnell & his Heirs five hundred Acres of the said fourteen hundred Acres being divided into three Parts as aforesd with the Appurtenances And to the said Parker Selby Seven hundred Acres the remaining part of the said fourteen hundred Acres with the Appurtenances divided into three Parts aforesd to hold to them in Severalty to be delivered & assigned by Lands so that neither the said Thomas Purnell & Parker Selby nor the said Philip Selby may have more of the said Land & Premisses with its Appurtenances than it belongs to them to have & that the aforesd Thomas Purnell & Parker Selby of their Proportion of the aforesd Land & Premisses with its Appts

(Coming)

Coming to them and the aforesd Philip Selby of his Proportion of the aforesd Land & Premisses with its Appurtenances aforesd Coming to him may severally appropriate themselves & make improvements to their own best Advantage And that the have the Partition so by him distinctly & openly made before his Lordships Justices of the Provincial Court to be held at Annapolis the third Tuesday of May next under his hand & Seal & the Seals of those by whose Oaths he makes the same Partition And that the have then there the Names of those by whose Oaths he makes the same Partition &c And the same Day is given to the Parties aforesd also. ——

28 Mary Wason Admx & Fra Wason Mchnt. } The Plfts sued out this Lordships Writ of Inquiry
Daniel Mariarte — — — } the Tenour whereof follows in these Words (Viz)

Maryland ss: Charles Absolute Lord and Propietarie of the Province of — — Maryland and Avalon Lord Baron of Baltr &c To the Sheriff of Ann Arundell County Greeting Whereas at a Provl Court held at the City of Annapolis in the County of Ann Arundell for the Province of Maryland on the Eighteenth day of October last a Certain Mary Wason Exx of the last Will & Testament of Francis Wason Merchant deceased had sued & impleaded a Certain — Daniel Mariartes of Ann Arundell County Gent For that the said Daniel Mariarte the tenth Day of August Anno Domi Seventeen hundred & Nineteen at Ann Arundell County aforesd at a Certain place Called the Corn field took the Negroe of him the said Francis in his life — time Called Billy of the Price of forty Pounds Sterling & him unjustly detained against Sureties & Pledges untill &c Wherefore the said Mary said she was the worse & had Damage to the Value of Fifty Pounds Sterl And therefore she brought that Suit And she brought — into Court the Letters Testamentary whereby her being Exx of the Testament aforesd & thereon to have Admn to the Court there might fully appear &c It was therefore so far proceeded in our said Court that the said Mary Wason Exx as aforesd her Damages & Cost Sustained by occasion of the Premisses aforesd against the said Daniel Mariartes ought to recover But because it is unknown to our said Justices what Damages the Mary Wason Exx as aforesd hath sustained by occasion of the Premisses aforesd We Command you that by the Oath of twelve good & lawfull Men of your Bailywick or County you diligently Inquire what Damages the said Mary Wason Exx as aforesd hath sustained by Occasion of the Premisses aforesd besides her Cost and Charges about her Suit in that behalf laid out & Expended And that the Inquisition which you shall thereof take to our Justices of our Provl Court to be held at Annapolis the third Tuesday of October next under your hand & Seal and the hands & Seals of those by whose Oaths you make the — same Inquisition you make appear thereof fail not at your Peril And have you then there this Writ Witness Wm Roth Esqr One of our Justices of our Provl Court the third Day of June in the twelfth year of our Domi &c Annoq Dom 1727 —

Issued 13 June 1727. Nathl Dulany Clk

And now here at this Day to wit the said third Tuesday of October being the 17th Day of the same Month Anno Domi 1727 & the Day of the return of the foregoing Writ Comes the said Mary Wason Exx &c as aforesd by Daniel Dulany her Attorney And the Sheriff of Ann Arundell County to whom the same Writ was directed likewise Comes & makes return thereof to the Court thus Endorst (Viz)

Countermanded So Answers
Francis Shiel

29 Tobias Burke — — — } Mchnt. The Plfts sued out this Lordships Writ of Restitution the —
Thomas Holbrooke &c } Tenour Whereof follows in these Words Viz Maryland ss —

Charles Absolute Lord & Propry of the Province of Maryland

(and)