& Thomas the same Elizabeth and the aforesaid Thomas and Dorothy together
and undivided part to them and their heirs for ever as by Deed with the
aforenamed called Dawbeny Gentlemen and Kemp in Queen Annes County the
same Thomas and Dorothy further mentioned Deed according to the form
of the Statute in that Case made and provided to make lady Queen and that
to be made will not permit with other and against the same of the Statute
and whereupon the said Elizabeth Keene Gentle brought her Attorney Esqr
that writ of Error and the aforesaid Thomas and Dorothy together and
undivided part to them and to their heirs for ever aforesaid one hundred
with the appurtenances to be Divided, whereof to the same Elizabeth
and to her heirs for ever aforesaid one hundred and two hundred one Messuage or Tenement
hundred three with the appurtenances to be Divided and to the aforesaid Thomas and
and to his heirs for ever aforesaid one hundred and part of the Residue of the
and four hundred and with the appurtenances to be Divided, and to the aforesaid
for and to his heirs for ever aforesaid one hundred and with
the appurtenances were Divided, to hold to them as Tenants by the Curtesy of
the Estate of the part aforesaid of the four hundred and of them aforesaid unto the
aforesaid part aforesaid of the four hundred and of the same
to the same Thomas Dorothy belonging and the aforesaid Thomas of the part of the same
four hundred and with the appurtenances thereunto belonging and the aforesaid
Knight of the part of the same four hundred and with the appurtenances thereunto
belonging may be Divided according unto the same Thomas and Dorothy together
thereof between them according to the same Act of Parliament made and
moved to make lady Queen and the same Act made will not permit conveniently and
against the same Act of Parliament

And now here at this Day to wit the 30th Day of September Anno Dom
1707 to which Day the said Thomas Abbott and Dorothy his wife Demandants to
answer the said Demandee in the Action aforesaid and prays
that the said Demandee to his Declaration and Plaint aforesaid and the said Thomas
Abbott and Dorothy his wife Tenants by the Curtesy not but make Default whereupon
the said Sheriffe Queen Commanded against the said Thomas Abbott and
Dorothy his wife and Tenants aforesaid

Whereupon it is Considered that Partition Be made between the said Thomas Abbott
and Dorothy his wife and the said Elizabeth Keene of the Lands and Premises as the
Statute &c and the said Thomas Abbott and Dorothy his wife &c

Whereupon Command is given to the Sheriff of Queen Annes County that in
his proper Person he cause unto the Lands and Premises with their appurtenances
and in the presence of the Parties aforesaid or their Attorneys to be present of the
aforesaid Lands and Premises by the Oaths of good and lawfull men of his Bailiwick
with their Aid to be taken of the said Lands with all appurtenances
unto three parts to be made Partition and one Moyety thereof with all appurtenances
to the aforesaid Elizabeth Keene one hundred and part of the Residue of the
said four hundred and to the said Thomas Abbott with its appurtenances, and the
other Remaining one hundred and with its appurtenances to the said Dorothy
the said Elizabeth to be Divided and Charged to hold in Severalty to that Partition
the said Elizabeth her heirs nor the said Thomas Abbott or his said Dorothy or any
other person or persons for them or any of them shall have and hold
the said Elizabeth in the one Moyety of the said Lands and Premises with its appurtenances
and Remainder to the said Thomas Abbott of the one hundred and part of the
Residue of the said four hundred and with its appurtenances belonging to him and
that the said Dorothy the other Remaining one hundred and part of the
said Lands and appurtenances belonging to him may forever thereafter Severally and
that that Partition so by him Duly and strictly made the same before the
Justices hereof the said Court under his Seale and the Seale of their Office &c
and this Court Day is given the parties aforesaid &c

September Court 1707

Philip Sarton } By Venire &c for their Appearance at this present Court to Declare &c
Jane Wilson } Between Jane Wilson Complainant and James Wilson Defendant &c
Philip Sarton the Complainant by Court Order of the Justices of the said
Court Translmitted to the Clerk of this present Court there
following Words viz

At a Court held by the Worshipfull Justices of the Peace for Queen Annes County
Day of August Anno Dom 1706 at Divers Days

Complainant } Mr Jno Hamilt — } Mr Thomas Smith
Defendant } Capt Jno Thompson } Mr Richard Tilden

Upon the Motion unto the Court by the Complainant Order a Warrant to the
Sheriff to the Summon the Defendant to appear at the next

At a Court held at Divers Days
Complainant } Capt Jno Thompson } Capt Henry Ballard
Defendant } Capt Jno Hamilton } Mr Richard Tilden

Ordered by this Court that the Sheriff of this County do Summon a Jury
of the Freeholders of this County to appear at the next Court to be held for this County
Named Philip Sarton

At a Court held by the Worshipfull Justices for Queen Annes County at Divers
Days the 12th Day of March in the Third year of the Reign of our Sovereign
Lord Queen Anne by the Grace of God of England &c Anno Dom 1707

Complainant } Capt John Hamilton } Capt Henry Ballard
Defendant } Capt John Thompson } Capt Richard Tilden

Old Abraham Wilson on behalf of Jane Wilson and the Jurors Dom Sworn
against Philip Sarton Answer to the same Wilson &c

The Day Being the Court of March Anno Dom 1706 the Defendant Sworn
to Capt John Hamilton one of the Magistrates of this County Warrant Issued as follows

Somerset County ss To either of the Constables of the Hundred for the County aforesaid
Whereas Philip Sarton of Somerset County Planter hath made Complaint
before the Worshipfull Justices of this County that he Sent Letters to John Wilson Planter
&c Planter and he will and Requires you to Bring before me Two of the Clock of the
To answer unto what shall be objected against him the said Philip on behalf
of Our Sovereign Lady the Queen the Laws and Statutes and for the Peace thereof
for your Warrant Given at Monocan this 2d of March in the Second Year of the
Reign of our Sovereign Lady the Queen Anne by the Grace of God of England
Anno Dom 1706

To Mr Edward Thompson Constable of Monocan Hundred to Summon and Warn Richard
Wilson and to Inform him Philip Sarton Complainant

The Return Received by me Edward Thompson Constable

The Examination of Francis Hyden on Oath before Capt John Hamilton
The Examination of Francis Hyden upon Oath made before me the Subscriber
this third Day of March Anno Dom 1706 Philip Sarton Complainant