641 Delin recover against the said Mary Mallany his term & yet to come & unexpired of in and unto
the aforesaid Parcel of land called the hope willy, its appurtenances thereunto belonging and that
he have liberty he prays against Mary Mallany and that he ought to recover his said damages
by occasion of the premises against the said Mary Mallany but because it is unknown to
the court what damages the said William Penn lessee of the said Richard Delin
has sustained by occasion of the premises and therefore it is commanded the sheriff of St Mary's
County that by the oaths of good and lawfull men of his bailywick or County he diligently inquire
what damages the said John Penn lessee of the said Richard Delin has sustained by occasion of the
premises & and that the inquisition & the same to the said sheriff in his court at the next pro
court to be held at Annapolis the second tuesday of April next & that he make return
writt to him thereof directed and the same day is granted to the said John Penn lessee of the said
Richard Delin also. Mr the pltff by his attorney he prays the execution of his judgment as long
possession till the first day of March next and

Mr John Bladen for his majtys attorney } Mond. John Bladen Esq the majtys attorney Genl & Richard Lloyd his majtys
Mr Arthur Miller Exd Michl Miller } writt of scire fac against the said Arthur Miller Exr of the said
Michl Miller dcd the tenor of which follows in these
words viz

Mary land } Anne by the grace of God of Great Britain France & Ireland Queen defrd &c
to the sheriff of Kent County greeting Whereas a provincial Court of our late dear
brother & predecessor King Charles the third King of England &c held at the town and port of Annapolis for
our province of Maryland before the Hon Edward Hammond Esq & his associates justices of the
same Court on the fifteenth day of May in the eighth year of her said late majtys reign
& Anno Dom one thousand six hundred ninety six our said brother and predecessor by
consideration of the same Court did then and there recover against Michael Miller late of this
province otherwise called Michael Miller of Kent County Gent the sum of one thousand
pounds sterling a certain debt whereof the said Michael Miller is convicted execution whereof
still remains to be done and we being willing that those things which are rightly adjudged
in our said Court should be brought to a due execution and whereas the said Michl Miller
is sued & dcd as by the insimulation of Wm Bladen Gent our attorney Genl for our said province
of Maryland which for us in this behalf prosecuteth we have recd command you that by
good and lawfull men of your bailywick you make known unto Arthur Miller Exr of the said
will and testament of the said Michl Miller dcd that he be & appear before our justices
of our prov Court to be held at Annapolis the third tuesday of July next to show cause if
any he has or for himself can say why the said Wm Bladen Gent our attorney Genl ought
not have execution against him for us and on our behalf execution against the said
Arthur Miller of the debt aforesaid according to the form of the recovery aforesaid to be levied of the
goods and chattells which were of the said Michl Miller dcd at the time of his death
in his hands remaining to be administred lest right not be heard if he shall seem meet
and have you then there the names of those by whom you make the same known
the writt Witness Wm Holland Esq Chief Justice of our said court the 17 day of September
11th year of our reign & Anno Dom 1712 (W Holland Chief Justice) Jno Hall Clk

All which said third tuesday of July to wit the 15th day of the said month Anno Dom 1710
being the day of the return of the said writt Come as well the said Wm Bladen his
majtys said attorney Genl as also the sheriff of Kent County (to wit) James Harris Gent
who makes return to the court here (the writt to him directed as aforesaid in these words
viz) These are to certifie the honble justices within mentioned that I have made known
unto the within mentioned Arthur Miller Exr of Mr Michl Miller dcd to be and
appear at the day and place within specified & made the same known before Charles
Wilkinson & Henry Ballard good & lawfull men of my bailywick as the within writt
& Ballard requires. Ja Harris shff

Whereupon the said Arthur Miller Exr as aforesaid by Donel Hunland & Thomas Dodd his
attorneys comes and prays leave to imparle here unto until next Court and he shall d
(and)

642 and he hath it and the same day is given to the said Wm Bladen his majtys said attorney Genl who for his
majty in this behalf prosecutth also comes. All which said next Court held the 17th day of October Anno
Dom 1712 comes again as well the said Wm Bladen his majtys said attorney Genl who for his said majty
in this behalf prosecutth as the said Arthur Miller Exr aforesaid by his attorney Genl & the said Arthur Miller
Exr as aforesaid by his said attorneys produces to the court here his majtys writt of error the tenor of which
follows in these words viz

Mary land } Anne by the grace of God of Great Britain France and Ireland Queen defrd &c
to our trusty and well beloved Wm Holland Esq Chief Justice of our prov Court of
Maryland greeting because in the record & process and also in the rendring judgment of a plea which
was in the prov Court of our dear brother the late King Charles the third late King of England before Edward
Hammond & his associates justices of the said late King of the same Court in the eighth year of the
reign of the said late King Anno Dom sixteen hundred and ninety six writt to record our said
predecessors King Wm & Queen Mary & Michael Miller now deceased against Richard Delin
of four thousand pounds sterling with the rights thereto belonging in the same the late majtys Court before the
said Edward Hammond & his associates was recovered against the said Michl Miller the plea aforesaid
as by the said manifest error it appeareth to the great damage of Arthur Miller of Kent County
heir & exr of the said Michl Miller as of the complaint we have received and we desiring
to redress the said errors and to stand to the said judgment in the said court if any there be should be duly
corrected and full and speedy justice done in this behalf Command you that if judgment be therefore
rendered then the record and process of the said plea aforesaid with all things thereunto relating to our
president & Council of Maryland at Annapolis on the third day of November next ensuing you
send under your seal distinctly and openly you send and this writt that the record and process aforesaid
we may further cause to be done for the correcting that error
the said president & Council may further cause to be done for the correcting that error
what of right & according to law shall be to be done. Witness ourself at the City of Annapolis the
12th day of October in the year of our reign & Anno Dom 1712 Elizabeth Hutchins

Mr Wm Bladen

Upon which writt being read and heard is by the justices here allowed and the record therein mentioned
ordered to be sent according to the tenor thereof

Kent County July Term 1710 ss

Mr Wm Bladen lessee Mary Priscilla Fields } Pro Cur
by Wm Fields their father & next friend } Caleb Comly ss

Mr Gilbert Deaver — — —