At which said next Court to wit the 13th day of July Anno Dom 1714 Come again as well the said pltffs by their attorney aff as the said deft by his attorney aff and the said defend by his attorney aff and the said defend by his said attorney prays further Leave to imparle hereunto until next Court he shall it and the same day is given to the pltff also — And for that it seems to the Court here that it is absolutely necessary for the better information of the Court and Jury in the trial of the premises that the tract or parcell of land called the backland formerly lying and being in Calvert County but now in Charles County on the west side of Patuxent River in the woods in the forks of a branch called or known by the name of Williams's branch it being a branch that comes out of Sachiyah Beginning at a bounded hickory tree standing near a path side called Indian Path and north a parcell of land formerly surveyed for Major Boarman off Mary County should be carefully resurveyed and laid out according to the amount meets and bounds thereof as in the original Certificate of Survey therefor is expressed and to the end that the said land in controversy and the claims and pretensions of both parties may more plainly and differently appear to the Court and Jury it was ordered by the said Court that the Queens Surveyor of Charles County for the time being or any other discreet and skilfull person in his absence to be nominated and appointed by the said pltff and defendant in the presence of the sheriff of the said County carefully resurvey and lay out as well the said land in question as any other land adjacent thereto which shall be thought necessary by the said pltff and defendant to be laid out for the better illustration of the matter according to the claims and pretensions of the pltff being summoned think fit to be present and without any offence of the deft if he being summoned think fit to be present and likewise survey and lay out the same land in dispute interruption of the deft and likewise survey and lay out the same land in dispute as aforesaid according to the claims and pretensions of the deft in presence of the pltff being summoned think fit to be present without any interruption of the pltff the sheriff thereby empowered to examine upon oath any witness or witnesses that by either of the said parties should be produced in relation to the same and the same survey was thereby commanded to return two fair Certs and plats thereof drawing the pretense of the pltff in black lines and the pretense of the deft in pricked lines as well under the hand and seale of the sheriff as the surveyor to the justice of the said prov Court to be held at Annapolis the third tuesday of September next that the said justice and jury being rightly informed of the truth of the premises might further proceed therein as to justice appertaineth

At which said third tuesday of September to wit the 21 day of the same month Anno Dom 1714 being the said next Court as well the said parties pltff and defend by their attorney aff as the said sheriff and surveyor who make return to the Court here of the said warr to them directed as follows viz

To the honble William Holland Esq Chief Justice and to the rest of the honble justices of the prov Court of Maryland

Charles County —

Whereas by virtue of a warr of resurvey granted by your honours the 10th day of July instant for the resurvey of a tract of land called by the name of the backland formerly lying and being in Calvert County but now in Charles County on the west side of Patuxent river in the woods in the forks of a branch called and known by the name of Williams branch that comes out of the main branch of Sachiyah being the claims and pretensions of Matthew Ashcomb and Mary his wife and Mary Bigger pltff and also to lay out any other lands adjacent thereto as shall be thought necessary by the said pltff and defendant

In

Obedience to which I have resurveyed and laid out for the pltff the above trait of land called the back land as by Certificate by the said pltff produced and the hand of William Leach deft Surveyor by the appointment of Capt Richd Smith surveyor Genll dated the 17 day of August 1694 Beginning at a marked Chestnut oake standing in a branch called Williams branch on the east side of the run being the second bound tree of the said land proved by the oath of one Michll Catterton who saith he was present at the survey of the said land which first taken up thence running N E by E 84 pts to a spanish oake now bounded thence East 228 pts to a hickory now bounded thence south westerly 67 degs 280 pts to a hickory sapling now bounded thence N N West 132 pts to the 1st second bound tree which may further appear by the plat herewith laid down in black lines thus drawing surveyed the pltff and defend being present is all that is required of them on either side and being so satisfyed they proceed to survey no further

Joseph Manning Survey
for Charles County

This survey was made in presence of Coll Hall & Richd

Which being read and heard the said Thomas Crabb by Thomas Bordley as before comes and defends the force and injury when &c and saith he is in no wise guilty of the trespass and ejectment &c and the said Plaintiffs above complain against him and of this he puts himself upon the Country —

Whereupon the said James Horsely Exor of the said Matthew Ashcomb and Mary his wife and Mary Bigger by his said attorney sues a action of ag the said Thomas Crabb did not prosecute with effect but voluntarily suffered his suit to be discontinued Therefore by the direction of the justice here the sum of

632 pounds of tobacco were adjudged to the same Thomas Crabb for his Costs and Charges by him about his defence in this part sustained according to the form of the statute in such Case lately made and provided And the said Matthew Ashcomb & Mary his wife and Mary Bigger in Mercy &c And that the said Thomas Crabb have thereof Execution ag the said Matthew Ashcomb and Mary his wife and Mary Bigger his Exors as aff —

WB Mayly
vs
Michll Hawkes

This day Michll Hawkes being bound by recognizance in the sum of ten pounds stood for his appearance this Court to give Evidence on her maty behalf ag Dominick Kenslagh appears — Whereupon the said Michll Hawkes is discharged from the said recognizance entered into as aff

WB Maty
vs
John Hrsby

The said John Hrsby being bound by recognizance in the sum of ten pounds stood for his appearance this Court to give Evidence on her maty behalf ag Dominick Kenslagh appears — Whereupon the said John Hrsby is discharged from the said Recognizance entd into as aff

WB Maty
vs
Arthur Miller

The said Arthur Miller being bound by recognizance in the sum of ten pds stood for his appearance this Court to give Evidence on her maty behalf ag Dominick Kenslagh appears — Whereupon the said Arthur Miller is discharged from the said recognizance entered into as aff