Court house in the said County Should Come.

And now here at this day to wit the third Tuesday of May being the 19th day of the Same Month Anno Domi: 1724 Comes again before the Justices of this Lordships Provincial Court here as well the said John Headsworth Esqr of the said Joseph Mead and Elianor as the said Mary Copeland by her Attorney his wife and Elizabeth Clarke by his attorney aforesaid, but the Sheriff has not sent his writ Whereupon as before Command is given to the Sheriff of Anne Arundell County that he cause to Come before the Justices of the Provincial Court at Annapolis the third Tuesday of October next or before the Justices Appointed to take the Assizes in his County if they Shall before that time sit on Monday the Seventh day of September next to the County Court house in the said County Come Twelve good and Lawful men of his Bailywick to recognize in form aforesaid.

Afterwards the process continued between the parties upon the plea aforesaid in form aforesaid until the third Tuesday of October next Unless the Justices of his Lordship the Lord Proprietary to take the Assizes in the said County assigned on Monday the Seventh day of September next to the County Court House in the said County Should Come.

And now here at this day to wit the third Tuesday of October being the 20th day of the Same Month Anno Domi: 1724 Comes again before the Justices of the Provincial Court here as well the said John Headsworth Esqr of the said Joseph Mead and Elianor his wife and Elizabeth Clark by his attorney aforesaid as the said William Copeland by his attorney aforesaid and the said Justices of Assize before whom &c. send here their Record before them had in these words Viz.t

Afterwards to wit at the day and place last above Mentioned before Thom.s Hadsion Esq.r one of his Lordships Justices of the Provincial Court of the Province aforesaid and James Stoddart Esq.r one other of the Justices of the said Court assigned to take the Assizes in Ann Arundell County aforesaid According to the form of the Statute &c. Came the within named John Headsworth Esqr of the said Joseph Mead and Elizabeth his wife and Elizabeth Clark by Thomas Bordley his attorney and the said William Copeland by Edmond Jennings his attorney and the Jurors of that Jury whereof Mention is above made being called Likewise Come to wit John Morriss, Richard Dunnalt, John Ayon, Robert Boone, John Lusby, Robert Lusby Junr, Richard Simpson, John Rawlins Wm Whitehead, Thomas Lusby, Philip Howard, and Francis Dorsey who being duly Elected tried and Sworn to say the Truth in the premises upon their Oath do say that a certain Edward Selby Senr. deced was Seized in fee of the Lands in Dispute with the Appurts and being so Seized made his last will and Testament duly executed and proved According to Law whereby amongst other things he devised the Lands in Question in the following words Viz.t I Do will and bequeath unto my Daughter Jamr Hackett the Plantation whereon I do now Live to her and her heirs if She Should Die without heirs to James Hackett her husband during his

(Life)



Life and after his Decease to fall to my son Edward Selby and his heirs, that the said Edward Selby died Seised of the premises that the said James Hackett and Edward Selby were brother and Sister of the whole blood that Elianor and Elizabeth Lyons to the plaintiff were Daughters born of the body of the said James who died without other heirs of his body and that they with the said Joseph Mead made the Lease in the Declaration mentioned and find the Lease Entry and Ejectment as therein Mentioned That Benjamin Clark Intermarried the Devisee James and that they Signed in a Deed of Sale duly executed of the Land in Question with the Appurtenancy to those whose Estate the Defendant has. That the Several Devisees Survived the Devisor. and if upon the whole Matter the Law be with the pltff they find for the pltff But if the Law be with the defendt they find for the defendant and pray the Advice of the Court thereupon

But for that the said Court are not Advised of their Judgment of and upon the Verdict and premises aforesaid day is given to the said parties to hear their Judgment Until next Court for that the said Court as yet are not &c.

At which said next Court to wit the 18th day of May Anno Dom.i 1725 Comes again as well the said John Headsworth Lessee of the said Joseph Mead and Elianor his wife and Elizabeth Clarke by his attorney aforesaid as the said William Copeland by his attorney aforesaid. Whereupon all and Singular the Premisses being by the Court here seen Heard Fully Understood & Mature deliberation thereupon had for that it Seems to the Court here that Law arising on the Verdict aforesaid for the pltff

Therefore it is Considered by the Justices here the 18th day of May Anno Domini 1725 aforesaid that the said John Headsworth the Lessee of the said Joseph Mead & Elianor his wife & Elizabeth Clarke Recover against the said William Copeland his Term to come and Unexpired in and unto the aforesaid four hundred and Ninety Acres of Plantable Land called Selbys Marsh Lying on the west side of Chesapeak Bay and on the west side of South River in Ann Arundell County with the Appurtenances and that he have Seizin of his Possession against the said William Copeland. And also it is Considered by the same Justices that the said John Headsworth Lessee of the said Joseph Mead and Elianor his wife and Elizabeth Clark his Damages by occasion of the Trespass and Ejectment aforesaid against the said Wm Copeland ought to recover But because it is unknown to the Justices here what Damages the said John Headsworth Lessee aforesaid hath Sustained by the aforesaid Occasion It is Commanded the Sheriff of Ann.e County that by the Oath of Twelve good & Lawful men of his Bailywick or County he diligently Enquire what Damages the said John Headsworth Lessee of the said Joseph Mead and Elizabeth Clark hath Sustained by Occasion of Trespass and Ejectment aforesaid besides his Costs & Charges by him about his Suit in this behalf Laid out and Expended and that the Inquisition which he Send to his Lordships Justices of the prov.l Court to be held at Annapolis the third Tuesday of October next together with his Lordships writ to him directed and the same day is given to the defendt also