Jury whereof mention is above made being called likewise come (to wit) Thomas Horkot Junr Thomas Rutland Daniel Paine Peter Porter Joseph Marriott Emanuel Marriott John Riggs Henry Wright William Powell George Henderson Joseph Pottibone and Oneal Robinson who being duely elected tryed and Sworn to say the truth in the Premisses upon their Oaths do say that the said Richard Clowey is Guilty of the Trespas and Ejectment aforesaid as the Plaintiff above against him hath Complained.

Wherefore It is Considered by the Justices here the Day and Year last mentioned that the said Edward Harle Esqre of the said Thomas Cuthbiley recover against the said Richard Clowey his Term to come and unexpired of in and unto the aforesaid One hundred and twenty two Acres of Plantable Land called Harifield beginning lying at Hunting towne in Ann Arundell County with the Appurtenances and that he have thereof his possession against the said Richard Clowey &c And also it is Considered that the said Thomas Cuthbiley the Esqre of the Plaintiff recover against the said Richard Clowey the Sum of
pounds of Tobacco by the Court here adjudged unto him for his Costs and Charges by him about his Suit in this behalf Laid out and expended. And the said Richard in Mercy.

713 Philip Playfay Esqre James Dawson & Uxr } Ann Arundell ss/
87 Anne Hoyd } Be it remembred that heretofore (to wit) this 20th Day of October Anno Dom 1724 Ann Hoyd late of Talbot County Widow was attached to answer unto Philip Playfay of a plea wherefore with force and Arms &c into one Messuage and two hundred Acres of plantable Land being part of a larger tract of Land called Broughton Ashley lying in Ann Arundell County which said two hundred Acres of Land is beginning at a Marked Portlitinary of the said Broughton Ashley a Corner tree of a tract of Land formerly laid out for Richard Wells called Coopers Work and from the said Portlitinary with a Line drawn South for the length of One hundred and Eighty perches to a bounded Portlitinary thence with a Line drawn East South East for the length of Two hundred perches to a bounded Spanish Oak thence with a Line drawn North intersecting the South East Line of Broughton Ashley and Coopers Work to a bounded red Oak Standing in the said Line thence bounded with the said Coopers Work corner a Line drawn West North West to the first bounded Portlitinary late in the tenure or Occupation of John Shrigley with the Appurtenances which James Dawson and Mary his Wife to the said Philip Playfay did demise for a Term of Years which is not yet past hath Entred And him from his farm aforesaid hath ejected and other harms to him hath done to the great Damage of him the said Philip Playfay and against the Peace &c. —

And whereupon the same Philip by Thomas Bordley his Attorney complains that whereas the aforesaid James Dawson and Mary his Wife the twentieth Day of May in the Year of Lord God Seventeen hundred and twenty four at Ann Arundell County aforesaid Did demise to the aforesaid Philip the aforesaid two hundred Acres of Land with the Appurtenances To have and to hold the same unto him the said Philip and his Assigns from the twentieth Day of April then last past Until the End and Term of five Years from thence next following and fully to be Compleat and Ended By Vertue of which Demise the same Philip in to the aforesaid Two hundred Acres of Land with the Appurtenances Entred and was thereof possessed And the same Philip being so thereof possessed the aforesaid afterwards (to wit) the same twentieth day of May Anno Dom Seventeen hundred and twenty four aforesaid with force and Arms &c into the aforesaid two hundred Acres of Land with the Appurtenances which the same James Dawson and Mary his Wife to the same Philip in form aforesaid demised for the Term aforesaid which is not yet past Entred and him from his farm aforesaid ejected and other harms to him hath done to the great Damage of the same Philip Playfay and against the Peace &c — Wherefore he says he is the worse and hath lost to the Value of One hundred Pounds Sterl and thereof he brings his Suit &c — pledges &c John Doe and Richard Roe.

And the aforesaid Ann Hoyd by Edmund Jennings her Attorney comes and Defends the force Injury when &c And prays Leave to imparle hereunto Until next Court and she hath it And the same Day is given to the Plaintiff also. —

At which said next Court (to wit) the 10th Day of May Anno Dom 1725 comes again the said Parties Plaintiff and Defendant by their Attorneys aforesaid And the said Defendant by her said Attorney Prays further Leave to imparle hereunto Until next Court And she hath it And the same Day is given to the Plaintiff also —

At which said next Court (to wit) the 19th Day of October Anno Dom 1725 Comes again as well the said Philip Playfay & Esqre of the said James Dawson and Uxr by their Attorney aforesaid as the said Ann Hoyd by her Attorney aforesaid And the said Ann Hoyd by her said Attorney as before Defends the force and Injury when &c And saith that she is in no wise guilty of the Trespas and Ejectment aforesaid as the Plaintiff above against her hath Complained And thereof she Puts herself upon the Country — And the Plaintiff Also —

Whereupon for trying the Issue aforesaid Command is given to the Sheriff of Ann Arundell County that he Cause to come before the Justices of the Provincial Court at Annapolis the third Tuesday of May next or before the Justices appointed to take the Assizes in his County if they shall before that time (to wit) on —

(Monday)

Monday the Eleventh Day of April next to the County Court house in his County Cause twelve good and Lawfull Men of his Bailywick by whom &c who neither &c to recognize &c between as well &c. —

Afterwards this Process Continued between the Parties aforesaid on the Plea aforesaid by the Jury being put thereon in respite here until this third Tuesday of May next unless the Justices of his Lordships the Lord Proprietary to take the Assizes in the said County Assigned on Monday the Eleventh Day of April next to the County Court house in the said County should Come. —

And now here at this Day (to wit) this said third Tuesday of May being the 17th Day of the same Month Anno Dom 1726 Comes again into his Lordships Prov. Court here as well the said Plaintiff as the said Defendant by their Attorneys aforesaid and the Justices of Assize before whom &c Send here their record before them had in these Words (Viz.t)

Afterwards (to wit) the Day and Place above mentioned before Thomas Addison Esqre one of his Lordships Justices of the Prov. Court of this Province Assigned to take the Assizes in Ann Arundell County aforesaid according to the form of the Statute &c Came the within named Philip Playfay Esqre of the said James Dawson and Uxr by Thomas Bordley his Attorney and the said Anne Hoyd by Edmund Jennings her Attorney and the Jurors of that Jury whereof mention is above made being called likewise come (to wit) Joseph Jones William Brewer Abra Simons Thos Richards Charles Clowey Hezekiah Clark John Todd John Powell Wm Smith Robt Sanders John Williams and John Nicholson who being duely elected tryed and Sworn to say the truth in the Premisses upon their Oath do say that John Shrigley was Seized in Fee of the Land in Dispute and that the same John on the 10th Day of February 1681 being so Seized made his last Will and Testament in writing and Shortly after Dyed Which Will was duely executed and proved as the Law requires and follows in these Words — In the Name of God Amen. I John Shrigley of Ann Arundell County in the Province of Maryland Cooper being sick and weak in Body but of perfect mind and Memory praised be God and Calling to mind the Uncertainty of this transitory Life and the Certainty of Death when it shall please God to Call Do make and ordain this my last Will and Testament utterly revoking and Disannulling all former or other Wills and Testaments heretofore by me made either by Word or Writing Imprimis I bequeath my Soul to God that gave it Assuredly believing in and by the Merits of his holy Son Christ Jesus to receive free Pardon and remission of all my Sins and my Body Commit to the Earth from whence it came to be decently buried according to the Discretion of my Exrs hereafter named and as for those worldly Goods that it hath pleased God Almighty to bestow upon me for above my Desarts I give and bequeath unto my two Brothers Nathaniel Scrigley and Othaniell Scrigley of the Kingdom of England Joyntly and severally and their Heirs that they or any of them within five Years next after my Decease shall come Seat and Dwell and take possession of the same All that my new Dwelling Plantation Situate in Herring Creek in the aforesaid County being part of a Parcell of Land Called Broad Marshley Containing two hundred Acres of Land with all and Singular the Dwelling houses Tobacco houses Premisses and Appurtenances to the same belonging or in any wise appertaining From My mind and Will is that my Executors hereafter named with the first Opportunity after my Decease shall send a Copy of this my Will to my two Brothers Nathaniel and Othaniell Scrigley aforementioned and likewise with all Opportunity within the aforementioned Term of five Years after my Decease shall send unto them Concerning my bequest unto them From my mind and Will that in Case my two Brothers Nathaniel and Othaniell nor neither of them shall come Seat Dwell and take Possession of my aforesaid Plantation within five Years after my Decease as afore expressed then I give and bequeath the same unto the Eldest Son of my Sister Deborah Impey and his Heirs and for want of such Heirs to the next Heir begotten on the Body of the said Deborah From I give and bequeath unto George Impey of Maryland my Grey Mare with the Increase From my will and meaning is that my Personall Estate be brought to a full appraizement and be disposed of by my Exrs hereafter named for the payment of my Debts the Rebate of this my Will my funerall Expences and other necessary Charge and if there be any Overplus I give and bequeath the same to my said two Brothers Nathaniel Othaniell Scrigley Joyntly and Severally or either of them if they or either of them shall come to Seat Dwell and take possession of my aforementioned Plantation within five Years after my Decease as afore is expressed and if not I give and bequeath the same to the Eldest Son of my Sister Deborah Impey aforementioned From I do nominate and appoint my Lovely and well beloved Friends Mr Nathaniel Smith and Mr John Sellers of Maryland to be the Executors of this my Last Will and Testament In Witness whereof I have hereunto Set my Hand and Seal this Eighteenth Day of February Anno Domini 1681.

John Scrigley (Seal)

Signed Sealed and Delivered to be this Last Will and Testament of the Testator in the Presence of
Arthur Brown John X Shallwell his mark Wm P Powell his mark Thos Morrisdall.

And on the back was thus Endorsed that upon the 12th Day of April Anno 1682 three of the Witnesses to the within written Will Came before me and made Oath that the Testator within mentioned did Sign Seal publish and declare this within Written Will to be his Last Will and Testament (Viz.t) William Powell John Shallwell and Thos Morrisdall. In Testimony whereof I subscribe my Name.

Vera Copia &c Benjamin Tasker Regr John Doolsh

We do not find that ever Nathaniel or Othaniell Scrigley the Brothers of the Devisor mentioned in the said Will had notice of the Death of the Devisor or of the Bequest therein mentioned to them

(of)