promised upon their Oath do say that ~~Thomas~~ Thomas Brooke Father of the Defendt. of the Plaintiff was Seized in Fee of the Lands in Dispute & Died Seized thereof And that the said Plaintiffs Father dyed Intestate at Law to the said Thomas Brooke, And the Jurors aforesd. do find that the said Thomas Brooke the Elder father of the plaintiff Depon by his Last will & Testament in Writing bearing Date the 25th day of October Anno Domi 1716 Duly Executed and Entered in the proceedings in the Commissarys office among other things did make the following Devise, I Give and bequeath unto my Loving Wife Ann Brooke all that Dividend or parcell of Lands being part of Delabrooke Manor which I am now possessed of with all the Appurtenances thereunto belonging or profits from thence Rising During her Natural Life, Item I give and bequeath unto my Eldest Son Tho: Brooke and his Heirs for ever after the decease of my said Wife all that part of the aforesd. tract or Dividend of Lands which Lyes to the North ward of the Cross and Main Branch thereof Called the Second Cross and the Remainder of the said Parcell of Land I Give and Bequeath unto my Second Son Robt. Brooke and his heirs for ever after the decease of my said Wife as aforesd. — We find that the aforesaid Remainder of Land was Devised to the said Robert Brooke & his heirs under Whom the Defendant Claims and that the said Robert Brooke by his Deed of Bargain and Sale bearing Date the 26th day of August Anno Domi 1697 Duly Acknowledged and recorded for the Consideration thereon mentioned did Sell & Convey unto William Hunter of Charles County Gent and his heirs for ever the aforesaid Remainder or parcell of Land Devised to the aforesd. Robert Brooke and that the said Wm Hunter by his Last will & Testament in Writing duly Executed & Entered among the proceedings of this Prerogative Office among other things made the following Devise — I Give and bequeath unto my Beloved and much respected friends Wm George Harold now of Saint Mary's County in Maryland all the real and personal Estate to me now belonging and that shall belong to me at the hour of my Death to him & his heirs for ever And that the said George Harold by his Deed of Bargain and Sale Dated the 25th day of July 1724 Duly Acknowledged and Recorded in Saint Mary's County Court for and in Consideration of the Sum of two hundred pounds Sterling to him paid by George Allwood Gent did Sell & Convey the Lands in Dispute to the said George Allwood and his heirs and Assigns for ever And that the said George Allwood by his Deed of Bargain and Sale dated the 17th day of February 1724 Duly Acknowledged and recorded in St Mary's County Court for & in Consideration of the Sum of two hundred pounds Sterling to him paid by Philip Clarke of St Mary's County Gent did sell and Convey the Lands in Dispute to the said Philip Clarke a Protestant and his heirs & Assigns for ever, And that the said Philip Clarke by his Deed of Bargain and Sale dated the 4th day of June Anno Domi 1725 Duly Acknowledged and Recorded in St Mary's County Court for and in Consideration of the Sum of two Hundred pounds Sterling to him paid by the Defendant Edward Cole did Sell & Convey the Lands in Dispute to the said Edward Cole and his heirs and Assigns for ever; — We find that Robert Brooke was a Roman Catholick Brooke

We find the Deed Entry & Ejectment in the Declaration, And upon the whole matter the Law be with the Plaintiff we find for the Plaintiff — And upon the whole matter the Law be with the Defendant we find for the Defendant thereon — Whereupon all and singular the premisses being by the Court here seen & duly understood & mature Deliberation thereupon had for that it seems to the Court Heard that the Law in the premisses do for the Defendant — Therefore it is considered by the Justices here the 20th Day of May Anno Domi 1729 that the said John Thompson Depon of the said Thomas Brooke Esqr take nothing by this Writ aft, but be in Mercy for his false Clamour; & that the said Edward Cole go thence without Day — And it is also considered that the said Edward Cole Recover against the said Thomas Brooke Esqr Depon of the said John Thompson the sum of

1422 pounds of Tobo by the Court here adjudged unto him for his Costs and Charges by him about his Defence in this behalf Said Out & Expended &c —

Wm: H: Mn: Roger Jones Depon Fra Armstrong } Talbot County Ss
Ex: Jg: Alexander Hay . . . . . .

Be it Remembred that heretofore to wit the 16th Day of May Anno Domi 1727 Alexander Hay late of Talbot County aft, Planter was attached to Answer unto Roger Jones of a plea wherefore with force and Armes into all Tract & parcell of Plantable Land Called the Discovery Lying and being in the County aft, at the head of Trappe Creek Beginning at a bounded black Oake Standing at the mouth of a Small branch which Issues out of the west side of the aft, Creek near the head thereof and near the Land Called Filgimans fortune & Running from thence north Seventy degrees Easterly twenty two perches north Seventy four perches then north Eighty five degrees Easterly Eight perches north Sixty five Degrees Easterly Seventy Nine perches South Sixty degrees Easterly Ten perches, north East Forty perches north four perches north East Seventy two perches, north West Seventeen perches South west Ninety perches north west One hundred & Sixty perches then with a Straight Line to the beginning Tree Containing Eighty Acres of Land with the Appurtenances lying in Talbot County aft, which Francis Armstrong to the said Roger Jones Did Demise for a term of years which is not yet past hath Entered and him the said Roger from the same aft, hath Ejected and Other harm to him the said Roger hath done to the Great Damage of him the said Roger and against the peace &c

And Whereupon the said Roger by Edmond Jenings his Attorney Complained that whereas the aft, Francis Armstrong the third Day of August in the year of Our Lord One Thousand Seven hundred & Twenty Six in Talbot County aft, did Demise to the said Roger Jones the aft, Tract of Eighty Acres of Land Called the Discovery and premisses aft, with the Appurtenances To Have and to hold the Same unto him the said Roger Jones & his Assigns from the Second day of August then Last past Until the End & Term of Seven years from thence next Ensuing and fully to be Compleat and

Ended