Lawfully acknowledged and there of and every part thereof doth hereby acquit discharge the said Robert Mahon his heirs Exr and Admrs forever by these presents Hath given granted bargained sold aliened Enfeoffed Conveyed and Released and by these presents doth fully Clearly and Absolutely give grant bargain sell Alien Enfeoff Convey Confirm and release unto the said Robert Mahon his heirs and assigns forever all that tract a parcel of Land being part of a tract of Land Called Hadley lying in Charles County on the East side of Wicomico River Beginning at a blunted White Oake standing on the said River running thence by the said River North twenty one Degrees east one hundred and Eighty nine perches thence South Sixty Degrees east two hundred and thirteen perches thence South fourteen degrees West two hundred and forty three perches thence to the first tree Containing three hundred Acres together with all and Singular the ways Waters and water rights members Jurisdictions privileges profits Commodities benefits and Appurtenances whatsoever thereunto belonging or in anywise appertaining to the said Land and all and every part and parcel thereof To have and to hold the said tract a parcel of Land and all and Singular the said Bargained and granted premises hereby meant and intended to be bargained and sold as aforesaid unto the said Robert Mahon his heirs or assigns forever to be holden of the Chief Lord or Lords of the fee for ever thereof by and under the Rents and Services therefore due and of Right accustomed. And the said Basil Waring doth hereby grant for himself and his heirs that he the said Basil Waring his heirs all and every the said tract or parcel of Land bargained and sold and hereby sold unto him the said Robert Mahon and his heirs against him the said Basil Waring his heirs and all every other person or persons whatsoever claiming by from or under him shall and will Warrant and forever Defend by these presents the said Service hereafter to become due and payable to the Lord or Lords Paramount of the premises only Excepted. In Witness whereof the parties first above named have hereunto set their hand and affixed their seal the day and year first above written which said writing is declared and offered as act to the said Basil and he the said Thomas altogether refuse to Execute According to the Tenor and Effect of the Condition aft and this he the said Thomas Malony is ready to Verify wherefore he prays Judgment and his Damages aft by Occasion of the Detention of the same Debt to be adjudged &c.

And the said Basil pleading that the plea aft by the Replicator above pleaded and the Matter therein Contained are not sufficient in Law to Compell the said Basil to answer thereto and also protesting that he was always ready and still is ready to defend the said Robert to be quit of Fraud in the Condition of the said Bond mentioned for plea the said Basil said that Wm Barton in the Condition of the writing aft mentioned by his last will and Testament in writing duly Executed and published among his other debts on the twentieth day of April in the Year of our Lord One thousand three (Four)

Gave and Devised to the said Basil by the name and Addition of his son in Law Basil Waring three hundred Acres of Land part of his Tract Called Hadley lying in Charles County Beginning at a blunted white Oake standing by the Main Swamp of Wicomico River thence to a Number the said Swamp to another bounded tree of Hadlow and thence for bounds thereof as would make the full Quantity of three hundred Acres to him the said Basil his heirs and assigns for ever And the said Basil further saith that he hath not nor ever had any other part or share of the said Tract of Land other than herein before mentioned and Expressed by the last will & Testament of the said Wm Barton And the said Basil further saith that the said Robert Mahony or his assigns or his or their Council Learned in the Law or any of them never desired or required the said Basil Waring to do any act or Acts thing or things Conveyanced or assurance in the Law whatsoever to give Grant Convey or assure unto him the said Robert his heirs or assigns for ever his the said Basil's part or share of the said Tract of Land Called Hadlow herein before mentioned and Specified and this he is ready to Verify And therefore as before prays Judgment that the said Robert from having or Maintaining his Action aft against him may be precluded.

And the aforesaid Robert Mahony saith that the plea aft by the aforesaid Basil Waring in Manner and form aft above by Rejoyning pleaded and the Matter in the same contained are Insufficient in the Law to preclude the said Robert from having the Action aft thereof against him the said Basil to which the said Robert hath no need nor by the Law of the Land is in any wise bound to Answer and this he is ready to Verify wherefore for want of a Sufficient Rejoynder in this part he the said Robert prays Judgment and his Debt aft together with his Damages Sustained by Occasion of the Detention of that Debt unto the said Robert to be Adjudged.

And the aforesaid Basil for that he hath above in his rejoynder alledged Sufficient Matter in Law to preclude the said Robert from having or Maintaining his Action aft against him the said Basil which he is ready to Verify which Matter the said Robert hath not gainsayed nor thereunto in anywise Answered But the same to Admit for True hath altogether refused Wherefore as before the said Basil prays Judgment that the said Robert from having or maintaining his Action aft against him may be precluded.

Whereupon all and Singular the premises being by the Court here soon heard fully Understood and Mature Deliberation thereupon had for that it seems to the Court here that the said Basil above by Rejoyning pleaded ~~and the Matter in the same Contained~~ hath alledged Sufficient in Law to preclude the said Robert from having his Action aft thereof against him the said Basil.

Therefore it is Considered by the Justices here the Seventeenth day of October Anno Dom: 1732 that the said Robert Mahony and his pledges of prosecuting be in Mercy And that the said Basil Waring go thereof without day.

And also it is Considered by the said Justices that the said Basil Waring recover (aft)