That the said Richard Evelin have of the Land of the said Adelaid Davie to the value &c. and the said Adelaid Davie have over of the Land of the said Richard Goldsmith to the value &c. and the said Richard Goldsmith in Money &c. and thereupon the said Zachariah Bond prays a Writ of his Lordship to the Sheriff of the County afs. to cause full Seisin of the said Parcel of Land with the Appurtenances to be Delivered to him and it is Granted to him returnable to the next Provincial Court &c.

Test. R Burdus Clk

ffp.° William Wheatly
a.
Randolph & Stephen Mitchel

Command was given to the Sheriff of Somerset County that he should Command Randall Mitchel and Stephen Mitchel of Somerset County Planters that justly and without delay they should render unto William Wheatly of the said County Planter two hundred and fifty acres of Land with the Appurtenances in Somerset County afs. called Daughters Dowrey being one Moiety of a Tract of Land in the same County called the Fathers Gift with the Appurtenances in Somerset County afs. which he claimed as his Right & Inheritance and into which the said Randall Mitchel and Stephen Mitchel have no Entry but after the Disseisin which Hugh Hunt thereof unjustly and without Judgment had made to the said William Wheatly within thirty Years &c. and whereof the said William Wheatly Complained that the said Randall Mitchel and Stephen Mitchel had Deforced him and unless the said Randall Mitchel & Stephen Mitchel had done the same and that the said William Wheatly should make him Secure of Prosecuting his Clamour then he should Summon by good Summoners the said Randall Mitchel and Stephen Mitchel that they should be and appear before the Justices of his Lordships Provincial Court to be held at the City of Annapolis the third Tuesday of May then next and that he the said Sheriff should have then and there that Writ &c.

At which said third Tuesday of May to wit the 17th Day of the same Month Anno Dom 1748 being the Day of the return of the aforegoing Writ comes the said William Wheatly in his proper person and the Sheriff of Somerset County to whom the same Writ was Directed likewise comes and makes return thereof to the Court here thus Endorsed Viz.t

Pledges { John Doe, Rich. Roe

Summoners { John Deem, Wm. Kerr

Sc Answer Dennis Shed.

To which aforegoing Writ was annexed the following Powers of Attorneys Viz.t

Somerset County to wit, Ann Mitchel who is Vouched to Warranty by Randall Mitchel and Stephen Mitchel putteth Edward Dowey her Attorney in her place against William Wheatly in a Plea of Land Witness her hand and Seal this 8th Day of April 1748

her
Ann A Mitchel (Seal)
mark

Taken and Acknowledged the Eighth Day of April 1748 before me Rob.t Jenekins Henry.

Somerset County to wit, Stephen Mitchel putteth in his place Stephen Bodley his Attorney in a Plea of Land against William Wheatly in a Plea of Land Witness his hand & Seal this Eighth Day of April 1748

Stephen Mitchell (Seal)

Taken and Acknowledged the Eighth Day of April in the Year afs. before me

Rob.t Jenekins Henry

(Maryland)

Maryland ss. William Wheatly of Somerset County Planter in his proper Person Demandeth against Randall Mitchel and Stephen Mitchel of the same County Planters two hundred and fifty acres of Land with the Appurtenances in Somerset County afs. called Daughters Dowry being one Moiety of a Tract of Land in the same County called the Fathers Gift with the Appurtenances in Somerset County afs. as his Right and Inheritance and into which the said Randall Mitchel and Stephen Mitchel have no Entry but after a Disseisin which Hugh Hunt thereof unjustly and without Judgment made to the said William Wheatly within Thirty Years &c. and whereof the said William Wheatly says that he was Seized of the said Tract of Land with the Appurtenances in his Demesne as of Fee and Right in the time of Peace in the time of our Lord the King that now is by taking the Profits thereof to the Value &c. and into which &c. and thereof he brings his Suit &c.

And the afs. Randall Mitchel in his proper Person and the afs. Stephen Mitchel by Stephen Bodley his Attorney come and defend their Right when &c. and thereupon Vouch to Warranty Ann Mitchel who by Edward Dowey her Attorney appeareth and freely Warranteth to them the said Tract of Land with the Appurtenances in manner afs.

And hereupon the said William Wheatly demandeth against the said Ann Mitchel Tenant by her Warranty the said Tract of Land with the Appurtenances in manner afs. and Whereupon he saith that he was Seized of the said Tract of Land with the Appurtenances in his Demesne as of Fee and Right in the time of Peace in the time of our Lord the King that now is by taking the Profits thereof to the Value &c. and into which &c. and thereof he brings his Suit &c.

And the said Ann Mitchel Tenant by her Warranty defends her Right when &c. and thereupon Voucheth to Warranty Richard Goldsmith who is present here in Court in his proper Person and freely Warranteth to her the said Tract of Land with the Appurtenances &c.

And hereupon the said William Wheatly demandeth against him the said Richard Goldsmith Tenant by his Warranty the said Tract of Land with the Appurtenances in manner afs. &c. and Whereupon he saith That he was Seized of the said Tract of Land with the Appurtenances in his Demesne as of Fee and Right in the time of Peace in the time of our Lord the King that now is by taking the Profits thereof to the Value &c. and into which &c. and thereupon he brings his Suit &c.

And the afs. Richard Goldsmith Tenant by his Warranty defendeth his Right when &c. and saith that the afs. Hugh did not Disseise the said William Wheatly of the said Tract of Land with the Appurtenances as the said William Wheatly by his Writ and Declaration afs. doth above suppose and thereof he doth put himself on the Country &c. And the afs. William Wheatly thereupon Craveth leave to Imparle and he hath it &c. and afterwards the said William Wheatly cometh again into Court this same Term in his proper Person and the afs. Richard Goldsmith altho' Solemnly called cometh not but in Contempt of the Court departed and Default made

Therefore it is adjudged that the said William Wheatly Recover his Seisin against the said Randall Mitchell and the said Stephen Mitchel of the said Tract of Land with the Appurtenances and that the said Randall Mitchel and Stephen Mitchel have of the Land of the said Ann Mitchel to the Value &c. and the said Ann Mitchel have over of the Land of the said Richard Goldsmith to the Value &c. and the said Richard Goldsmith in Money &c. and thereupon the said William Wheatly prays a Writ of his Lordship to be Directed to the Sheriff of the County afs. to cause full Seisin of the said Tract of Land with the Appurtenances to be Delivered to him and it is Granted to him returnable to the next Provincial Court &c.

Test. R Burdus Clk