and Skilfull Person to be their Clerk And the Jurors afs.d upon their Oaths afs.d do find that the said Commissioners before the first day of November next Ensuing the making of the said Act of Assembly to wit on the 28th day of August 1730 with the Surveyor of the County afs.d and their said Clerk did meet at the said Town to Treat with Simon Wilmer the then Proprietor of the said Town Land for the Price of such part thereof which was not then already taken up but not being Able to agree with him for the same Land did Issue their Warrant under their Hands and Seals according to the Directions of the said Act to Joseph Young Esq.r then Sheriff of the said County requiring him the said Sheriff upon Receipt thereof to Impannell and Summon a Jury of Twelve Substantial Freeholders Inhabitants of the said County to be and appear at Chester Town afs.d in the said County before the said Commissioners or the Major part of them on the fifteenth day of September then next Ensuing to enquire upon their Oath what Damages or Recompence ought to be Awarded to the Proprietor or Proprietors of all such Lott or Lotts in the same Town as were not then taken up and Possessed by any Person or Persons other than such Original Proprietor or Proprietors of One Hundred Acres of Land formerly laid out into the same Town Pursuant and Agreeable to which Warrant the said Sheriff did Impannell Summon and Return a Jury before the said Commissioners and the said Jury being Sworn by the said Commissioners to Enquire as afs.d among other Lotts in the said Town not then Possessed or taken up by any Person or Persons other than the Original Proprietor or Proprietors thereof did Assess and Award the sum of five Pounds for the said Lott mentioned in the Declaration to the Proprietor thereof as a Recompence for the same

And the Jurors afs.d upon their Oaths afs.d do find that the Lott No. 37 in the Declaration mentioned at the time of the time of the said Inquiry and Assessment was not Possessed or taken up by any other Person or Persons than the Original Proprietor or Proprietors of the said Lott untaken up

And the Jurors afs.d upon their Oaths afs.d find that Simon Wilmer of Kent County Gentleman Deceased was at the time of such Enquiry and Assessment the true owner and Proprietor of and held and Possessed all the said untaken up Lotts in the said Town

And the Jurors afs.d upon their Oaths afs.d do find that the Lessor of the Plaintiff the fifteenth day of October 1730 took up the said Lott No. 37 and Paid the said Simon Wilmer the Sum of five Pounds for the same and that the same Lott was then Registered for and in the Name of the Lessor of the Plaintiff in the Records and Proceedings of the said Commissioners at the request and Motion of the said Simon Wilmer

And the Jurors afs.d upon their Oaths afs.d do find that the Lessor of the Plaintiff Built upon and Improved the said Lott according to the Directions of the said Act of Assembly

And the Jurors afs.d upon their Oaths afs.d do find that the said Charles Hynson did make a fair Record and Entry of all the Proceedings of the said Commissioners in a sufficient Book Provided for that Purpose

(and)

And the Jurors afs.d upon their Oaths afs.d do find that the said Surveyor did deliver to the said Clerk a fair Platt of the said Town laid out as afs.d and that the said Clerk did Transmitt to the Clerk of Kent County the whole Proceedings of the said Commissioners together with the said Platt to be Lodged amongst the County Records which Proceedings follows in these words Viz.t

And the Jurors afs.d upon their Oaths afs.d do find that the Lessor of the Plaintiff after the 30th Day of October 1730 Intermarried with a certain Samuel Barton

And the Jurors afs.d upon their Oaths afs.d do find that the Lessor of the Plaintiff on the 29th day of November 1731 by her Deed duly Executed and acknowledged Conveyed the Lott No. 37 mentioned in the Declaration to her Son William Pope which Deed follows in these words Viz.t

And the Jurors afs.d upon their Oaths afs.d do further find that the said William Pope dyed about the Month of August 1746 without Issue

And the Jurors afs.d upon their Oaths afs.d further do find that the said Samuel has Absented himself from this Province for above Seven Years last past

And the Jurors afs.d upon their Oaths afs.d do further say that William Pope by Deed Dated December 12th 1744 the Lott in Question to William Lyon and the said William Lyons Assignment of the same Deed to the Defendent which Deed and Assignment follows in these words Viz.t

And the Jurors afs.d upon their Oaths afs.d do further say that the Lott and Mesuage in the Declaration mentioned Usually Rented at between Ten and fifteen Pounds Current Money P Annum before the said Lease by the said William Pope

And the Jurors afs.d upon their Oaths afs.d do further say that they find the Lease Entry and Ouster as mentioned in the Declaration

And if upon the whole matter the Law be with the Plaintiff they find for the Plaintiff otherways for the Defendent And pray the Advice of the Court thereon

Paul Whitehead

Test Jam Auld C

Whereupon the Verdict and Premisses afs.d being by the Court here seen

(heard)