And afterwards to wit the Second Tuesday in August of the Sheriff aforesaid returns to the Court here the Summons aforesaid thus Endorsed viz.t Summoned by Dent Sheriff Whereupon all and singular the Premises being by the Court here soon heard & fully understood It is therefore Considered by the same Court that the said John Wheeler be Free It is likewise further Considered by the same Court that the said John Wheeler Recover against the said John Summers the Sum of One Hundred and twenty Pounds of Tob.o for his Costs and Charges by him about his Suit in this part laid out & expended on his Assent by the Court here Adjudged Thereupon Jeremiah Chase Attorney for the said John Summers prays Liberty to Appeal to the next Provincial Court to be held at Annapolis on the third Tuesday in October next on giving security according to Act of Assembly in such cases made & provided which is Granted Mem.d Chase Security for Appeal Che. County ss: I hereby Certify that the foregoing is a true Transcript taken from the Records of Charles County In Testimony whereof I have hereunto set my Hand and affixed the Publick Seal of the County aforesaid this 5th day of September Anno Dom.i 1754

Benj: Hand all Fees Cost paid

And now here at this Day to wit the third Tuesday of October being the 15th Day of the same Month Anno Dom.i 1754 comes into this Lordships Provincial Court here as well the said John Summers by Jeremiah Chase his Attorney as the said John Wheeler by Stephen Bradley his Attorney Whereupon all and singular the Premises being by the Court here soon heard fully understood and mature Deliberation thereupon had It is therefore Considered by the Justices here that the Judgment aforesaid be Reversed Annulled and altogether held for none And that the said John Summers to all things that he thereby lost be restored and that the said John Summers take the said John Wheeler into his Service

Test R Burdett Cl.k

Edward Duvgens Lessee
vs
Peter Force John Howard Guardian of Wm Redgrave Tenant

Maryland ss: Peter Force late of Kent County Planter was attached to Answer unto Paul Rusty of a plea wherefore with force and Arms &c. into all that Tract or Parcel of Plantable Land called Cranberry Neck lying and being in the County aforesaid with the Appurtenances Containing One Hundred and fifty Acres of Land which Edward Duvgens to him the said Paul Demised for a Term not yet past he the said Peter did enter and him the said Paul from his farmaforesaid did Eject and other Harms to him the said Paul did to the great Damage of him the said Paul and against the Peace of the Right Honorable the Lord Propry that now is &c. And Whereupon the said Paul by Stephen Bradley his Attorney Complains that Whereas the aforesaid Edward Duvgens on the tenth Day of October in the Year of our Lord seventeen hundred and fifty one at Kent County aforesaid did Demise unto him the aforesaid Paul the said Premises with the Appurtenances thereunto belonging To have and Occupy the same Premises with the Appurtenances to him the said Paul and his Assigns from the Second Day of September then last past until the full End and Term of Seven Years then next following fully to be Compleat and Ended By virtue of which Demise the aforesaid Paul into the Premises with the Appurtenances did enter & was thereof Seized and the said Paul so being thereof Seized the aforesaid Peter afterwards on the same tenth Day of October in the Year seventeen hundred and fifty one aforesaid at Kent County aforesaid with force and Arms &c. into the Premises with the Appurtenances aforesaid which he the said Edward Duvgens to him the said Paul in form aforesaid did Demise for the Term aforesaid which is not yet past entered & him the said Paul from his Term aforesaid did Eject and other Harms to him the said Paul there and there did to the great Damage of him the said Paul and against the Peace of the Right Honorable the Lord Propriety that now &c. Whereby the said Paul saith he is the worse and hath Damage to the Value of Two Hundred Pounds Current Money of Maryland and therefore he brings Suit &c. Damages &c. Attachment &c. Ad Damnum

And the said William Redgrave by John Howard his Guardian appointed by the Court here by Daniel Dulany his Attorney comes and defends the force and injury when &c. And tender

(Defence)

Defence according to his Instructions as they shall appear to be laid down on the returns of a Warrant of Resurvey to be Issued in this Cause and enters into the common rule and prays Leave to imparle hereunto until next Court and he hath it and the same Day is given to the Plaintiff also

At which said next Court to wit the 11th Day of September Anno Dom.i 1753 comes again the said Parties Plaintiff and Defendant by their Attorneys aforesaid and the said Defendant by his said Attorney prays further leave to Imparle hereunto until next Court and he hath it and the same Day is given to the Plaintiff also — At which said next Court to wit the 21st Day of May Anno Dom.i 1754 come again the said Parties Plaintiff and Defendant by their Attorneys aforesaid and the said Defendant by his said Attorney prays further leave to imparle hereunto until next Court & he hath it and the same Day is given to the Plaintiff also

At which said next Court to wit the 15th Day of October Anno Dom.i 1754 comes again as well the said Paul Rusty Lessee of the said Edward Duvgen by his Attorney aforesaid as the said John Howard Guardian of the said William Redgrave by his Attorney aforesaid Whereupon the said Paul Rusty Lessee of the said Edward Duvgen by his said Attorney prays that the said John Howard Guardian of the said William Redgrave to his Declaration aforesaid may appear and Answer But the said John Howard Guardian as aforesaid nor the aforesaid Peter Force nor any other Person or Persons whatsoever appear to this Declaration according to the Rule aforesaid but make Default Therefore it is considered by the Justices here that the said Paul Rusty Lessee of the said Edward Duvgen Recover against the said Peter Force his Term to come and unexpired of in and unto all that Tract or Parcel of Plantable Land called Cranberry Neck lying and being in the County aforesaid Containing One Hundred and fifty Acres of Land with the Appurtenances And that he have thereof his Possession against the said Peter Force and that the said Peter Force be taken &c. Mem.d The above Judgment is to effect no more of the aforesaid Tract of Land than is described in the Platt returned in the Cause between the Plaintiff and Wm Redgrave Defendt by the Letter D and which the said Redgrave did not claim by his Petition in Allowance of Resurvey Issued in the said Cause

Test R Burdett Clk

Day Scott
vs
Daniel Smith

By virtue of this Lordships Writ for correcting Errors in a certain Judgment obtained by the said Daniel Smith against the said Day Scott in Somerset County Court the Justices of the said Court Transmit to this Lordships Justices of the Provincial Court here the following Record viz.t This Lordship the Right Honorable the Lord Propriatary of the Province of Maryland sent to the Justices of Somerset County Court his Writ close in these words Maryland ss: Frederick Absolute Lord and Propriatary of the Province of Maryland and Avalon Lord Baron of Baltimore &c. To the Justices of Somerset County Greeting Because in the Record and Proceed and also in the rendering of Judgment and Awarding Execution against Day Scott of Somerset County Gent otherwise called Day Scott of Somerset County and Province of Maryland Planter at the suit of Daniel Smith in an Action of Debt which was in our said Court before Thomas Gleyzard and others his Associate Justices of the same Court manifest Error as it is said has happened to the great Damage of the said Day Scott as of his Complaint We have received & we being willing that the Errors if any there be should be duly corrected and full and speedy Justice done to the said Parties in this behalf Commend you that if Judgment and Execution be thereon rendered then the Record and Proceed aforesaid with all things thereunto relating under your Seal distinctly and openly you send and this Writ so that the same may be had before the Justices of our Provincial Court to be held at the City of Annapolis the third Tuesday of May next that the Record and Proceed aforesaid being inspected into We may further do therein for correcting that Error what of Right and according to the Law and Custom of this our Province may or ought to be done Witness our Trusty and well beloved Thomas Bacon Esqr Chancellor of our said Province this 6th Day of February Anno Dom.i 1754

Test &c.

(Dulany, Dorsey)

In the Record and Proceedings of Somerset County Court it is contained as follows viz.t Somerset ss: At a Court of this Lordship the Right Honorable Frederick Absolute Lord and Propriatary of the Province of Maryland

(and)