time or to the aforesaid Wilinder since the death of him the said John Beall or to the aforesaid Josiah and Lucy or to either of them since the Death of the aforesaid Wilinder to pay have altogether refused and the same to the said Josiah to render or pay the said Sarah still doth refuse and unjustly detain in delay of the Execution of the Testament and last Will of the aforesaid John Beall and to the Damage of him the said Josiah in the Sum of Seven hundred pounds Sterling aforesaid and therefore he brings suit and so forth and brings here into Court the Letters Testamentary to the aforesaid John Beall and also the Letters Testamentary to the aforesaid Wilinder by which it sufficiently appears to the Court here that the aforesaid Wilinder was Executrix of the Testament and last Will of the aforesaid John Beall and thereof hath Administration and so forth And that the aforesaid Josiah and that the aforesaid Josiah since the death of the said Lucy and whom the said Josiah hath survived is Executor and the aforesaid Lucy now Deceased were Executors of the Testament and last Will of the aforesaid Wilinder and thereof hath Administration and so forth

Pledges and so forth { John Doe / Richd Roe

A Copy of which aforegoing Declaration was made and sent with the Writ in the plea aforesaid

At which said Third Tuesday of October being the 15th Day of the same Month Anno Domini 1754 and the Day of the return of the aforegoing Writ comes the said Josiah Beall Exor as aforesaid by his Attorney aforesaid and the Sheriff of Prince George's County to whom the same Writ was directed likewise comes and makes return thereof to the Court here thus Indorsed viz. Cepi & Copy not served in time Turner Wootton Sheriff Prince George's County

And the said Sarah Haswell Exx as aforesaid by Jeremiah Chase her Attorney comes and defends the force and injury when and so forth And saith that she cannot Deny the action aforesaid so as aforesaid against her brought nor but that the writing Obligatory aforesaid may be the Deed of the said John Haswell nor but that the said John Haswell in his life time did Owe unto the said Wilinder Beall in her life time the aforesaid Sum of Eight Hundred Pounds Sterling Money in manner and form as the aforesaid Josiah Beall surviving Executor of the said Wilinder Beall above against her hath Declared. Therefore it is Considered by the Justices here that the said Josiah Beall Surviving Executor as aforesaid Recover against the said Sarah Haswell Executrix as aforesaid as well the Sum of Eight Hundred Pounds Sterling Money his Debt aforesaid as also the Sum of Pounds of Tobacco by the Court here unto him on his Assumpt adjudged as well for his Damages sustained by means of the detaining of that Debt as for his Cost and Charges by him about his Suit in this behalf laid out and expended and the said Defendant in Mercy and so forth. Mem. The Plaintiff Releases the Penalty on Payment of Principal Interest and Cost. Test N Burdett Clk

ffa William Allen ... Command was given to the Sheriff of Somerset County that he should

ffa William Hayward } command William Hayward of Somerset County Gentleman that justly and without Delay he should render unto William Allen of Worcester County Gentleman all that part of a Tract or Parcel of Plantable Land called Donoho's Lucky Choice lying in Worcester County aforesaid on the Westermost side of Pocomoke River and on the Eastermost side of Dividing Creek which part is contained within the bounds & limits following that is to say Beginning at a marked white Oak being the first bounder of the same Tract of Land and running from thence South West by South forty eight Poles to a spanish Oak thence South East by South One Hundred and twenty five Poles thence East thirty five Poles to a White Oak thence North East by East One hundred fifty & four Poles thence North West by North One Hundred and seventy Poles and from thence with a Right line to the first bounder Containing by Estimation One Hundred and Seventy five Acres be the same more or less with the Appurtenances which he claimed to be his Right and Inheritance and

(into)

into which the same William Hayward had not Entry but after the Disseisin which Hugh Hunt thereof unjustly and without Judgment had made to the same William Allen within and so forth And whereof the said William Allen Complained that the said William Hayward had deforced him and unless the said William Hayward should do the same and the said William Allen should make him secure of prosecuting his Clamour then he should Summon by good Summoners the said William Hayward that he should be and appear before the Justices of his Lordships Justices of the Provincial Court to be held at the City of Annapolis the Third Tuesday in October then next and that he the said Sheriff should have then and there the Summoners and that Writ &c. At which said Third Tuesday of October to wit the 15th Day of the same Month Anno Domini 1754 being the Day of the return of the foregoing Writ comes the said William Allen 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. Pledges &c. John Doe & Richd Roe

Summoners John Denn & Richd Fenn

To Answer Henry Ballard Sheriff of Somerset County

To which aforegoing Writ was annexed the following Warrant of Attorney viz.

Maryland to wit William Hayward puts in his place James Telphman and Daniel Delany Esqrs his Attorneys Jointly or severally against William Allen to gain or loose of a plea of Land In Testimony whereof the said William Hayward hath hereunto set his Hand and affixed his Seal this fourth Day of September Anno Domini 1754

William Hayward (Seal)

Taken and acknowledged the 4th Day of Sept. 1754 before Nehemiah Henry

Maryland to wit Daniel Townsend and James Townsend (and each of them whom William Hayward calleth to Warranty puts in their place and each of them Henry Darnall and Edward Dorsey Esqrs their and each of their Attorneys Jointly or severally against William Allen to gain or loose of a plea of Land In Testimony whereof the said Daniel Townsend and James Townsend and each of them have hereunto set their Hands and Seals affixed the fourth Day of Sept. 1754

Taken and acknowledged the 4th Day of Sept. 1754 before Nehemiah Henry

Daniel his mark Townsend (Seal) James his mark Townsend (Seal)

Worcester County to wit William Allen of Worcester County Gentleman in his proper Person demandeth against William Hayward of Somerset County Gentleman all that part of a Tract or Parcel of Plantable Land called Donoho's Lucky Choice lying in Worcester County aforesaid on the Westermost side of Pocomoke River and on the Eastermost side of Dividing Creek which part is contained within the bounds and limits following that is to say Beginning at a marked White Oak being the first bounder of the same Tract of Land and running from thence South West by South forty eight Poles to a Spanish Oak thence South East by South One Hundred and twenty five Poles thence East thirty five Poles to a white Oak thence North East by East One Hundred fifty and four Poles thence North West by North One hundred and seventy Poles and from thence with a right line to the first bounder Containing by estimation One Hundred and Seventy five Acres be the same more or less with the Appurtenances as his Right and Inheritance and into which the same William Hayward hath not Entry but after the Disseisin which Hugh Hunt thereof unjustly and without Judgment made to the same William Allen within thirty years and so forth And whereupon the same William Allen saith that he himself was seized of the Land aforesaid 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 taking thereof the Profits to the value and so forth and into which and so forth and therefore he brings Suit and so forth. And the aforesaid William Hayward by James Telphman his Attorney comes and defends his Right when and so forth And voucheth to Warranty thereof Daniel Townsend and

(James)