September Term 1765

Appurtenances which he claimed to be his right and Inheritance and into which the same John Davis had no Entry but after the Disseisin which Hugh Hemt thereof unjustly and without Judg= =ment made to the aforesaid James Holliday within thirty Years then last past as he said and whereof he complained that the after John Davis doth the same and if the aforesaid James Holliday should make you secure of prosecuting his Clamour then summon by good Summoners the aforesaid John Davis that he be before the Justices of his Lordships Provincial Court at the City of Annapolis on the Second Tuesday of September then nept And that thereof he the said Sheriff should not fail his Peril & that he should have then & there this Writ Vis AWhich said second Tuesday of September to wit the Tenth day of the same Month Anno Dominie 1765 being the day of the Return of the aforegoing Writ comes the said James Holliday in his proper person and the sheriff of Kent County to whom the same writ was Directed likewise comes and makes Return thereof to the Court here thus Endorsed to wit —

Pledges { John Doe, Richd Roe, Jno Doe, Ja: Roe }

Summons

So Answers Thos Smyth Shff

Edmd Key Atty Genl

Kent County to wit James Holliday Genl in his proper person demands against John Davis of Kent County planter a Moiety of all that Tract of plantable Land lying at the head of Sassafras River called Davis's Triangle containing One hundred and forty Acres — with the Appurtenances in Kent County aforesaid as his Right and Inheritance and into which the aforesaid John Davis hath no Entry but after the Disseisin which Hugh Hemt thereof unjustly and without Judgment made to the aforesaid James Holliday within thirty Years and so forth And whereupon he saith that he himself was seised of Tenements afs. above demanded with the Appurtenances in his Demesne as of fee and Right in time of peace in the time of the 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 bringeth suit and so forth And the aforesaid John Davis in his proper person cometh and defendeth his Right when and so forth and voucheth thereof to Warranty William Rawlings who

September Term 1765

who is here present in Court in his proper person and freely the Tenements aforesaid above demanded with the Appurtenances to him doth Warrant and so forth and thereupon the aforesaid James Holliday demandeth against him the said William Rawlings Tenant by his own warranty the Tenements afs. above demanded with the Appurtenances in form aforesaid and so forth And whereupon he saith that he himself was Seised of the Tenements aforesaid above demanded with the Appurtenances in his Demesne as of fee and right in time of peace in the time of the 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 bringeth suit and so forth And the aforesaid William Rawlings Tenant by his own warranty defends his Right when and so forth and saith that the aforesaid Hugh Hemt did not disseise the aforesaid James Holliday of the Tenements aforesaid above demanded with the Appurtenances as the same James Holliday by his Writ and Declaration aforesaid above supposeth and of that he puts himself upon the Country and so forth — And the aforesaid James Holliday prayeth Licence thereof to imparle and he hath it and so forth And afterwards the same James Holliday cometh again herein Court in this same Term in his proper person and the aforesaid William Rawlings altho solemnly called cometh not again but in Contempt of the Court hath Departed and made Default Where= =fore it is Considered that the aforesaid James Holliday recover his Seisin against the aforesaid John Davis of the Tenements aforesaid above demanded with the Appurtenances and that the same John Davis have of the Lands of the aforesaid William Rawlings to the Value and so forth and the aforesaid William Rawlings in Mercy and so forth And thereupon the aforesaid James Holliday prayeth the Writ of the right honble the Lord Proprietary to the Sheriff of Kent County afs. to be directed to cause him to have full Seisin of the Tenements afs. above demanded with the Appurtenances to him it is granted Returnable here on the second Tuesday in April nept and so forth —

Test Reverdy Ghiselin Clk

Ffs. James Holliday Esqr
against
John Ruth Junr and
Mary his Wife . . .

Command was given to the Sheriff of Queen Anns County that he should command John Ruth the Younger and Mary his wife that justly and without Delay they should tender to