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containing seventy five acres which a certain John Myatt by his last will devised to his daughter Rebecca who was the mother of John Smith son of Nicholas Smith deceased with the appurtenances in Kent County aforesaid, which he claimed to be his right and Inheritance and into which the same Oliver Smith had no Entry, but after the disseisin which Hugh Hunt thereof unjustly and without Judgment made to the aforesaid James Holly day, within thirty years now last past as he saith. And whereof he complained that the aforesaid Oliver Smith had deforced him, and unless the said Oliver Smith should do the same, and if the aforesaid James Holly day should make him secure of prosecuting his clamour, then he should summon by good summoners the aforesaid Oliver Smith, that he should be before the Justices of his Lordships Provincial Court at the City of Ann arolis on the second Tuesday of September then next, to shew why he did not do the same, and that he the said Sheriff should have then and there the summoners and that writ etc

At which said second Tuesday of September being the tenth day of the same month and Domini seventeen hundred and seventy one, and the day of the return of the aforegoing writ, comes the aforesaid James Holly day in his proper person, and the Sheriff of Kent County to whom the same writ was made and directed, likewise comes and makes return thereof to the Court here thus endorsed to wit

Pledges of prosecuting John Doe and Richard Roe
Summoners John Dean and Richard Fean
so answers Alex. Calder Shff

Tho. Jennings Attorney General

Kent County to wit. James Holly day Gentleman in his proper person demandeth against Oliver Smith all that part of a tract of plantable Land called Viana, otherwise called Vienna lying and being in Kent County aforesaid containing seventy five acres which a certain John Myatt by his last will devised to his daughter Rebecca, who was the mother of John Smith son of Nicholas Smith deceased, with the appurtenances in Kent County aforesaid as his right and Inheritance; and into which the said Oliver Smith hath no Entry, but after the disseisin which Hugh Hunt thereof unjustly and without Judgment made to the aforesaid James Holly day within thirty years and so forth, and thereupon he saith that he himself was seised of the Tenements aforesaid 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 thereupon he bringeth suit, and so forth.

And the aforesaid Oliver Smith in his proper person cometh and defendeth his right when and so forth, and voucheth thereof to warranty John Smith son of Nicholas Smith, deceased who is present here in Court in his proper person and freely the Tenements aforesaid with the appurtenances to him doth warrant and so forth, and thereupon the aforesaid James Holly day demandeth against him the said John Smith, Tenant by his own warranty the Tenements aforesaid with the appurtenances in form aforesaid and so forth. and whereupon he saith that he

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himself was seised of the Tenements aforesaid 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 thereupon he bringeth suit and so forth. and the aforesaid John Smith, Tenant by his own warranty defends his right when and so forth, and further voucheth thereof to warranty William Rawlings who is likewise present here in Court in his proper person and freely the Tenements aforesaid with the appurtenances to him doth warrant and so forth, and thereupon the aforesaid James Holly day demandeth against the said William Rawlings Tenant by his own warranty the Tenements aforesaid with the appurtenances in form aforesaid and so forth; and whereupon he saith that he himself was seised of the Tenements aforesaid 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 thereupon 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 Hunt did not disseise the aforesaid James Holly day of the Tenements aforesaid with the appurtenances, as the same James Holly day by his writ and declaration aforesaid above supposeth, and of that he puts himself upon the County and so forth And the aforesaid James Holly day prayeth license thereof to imparle, and he hath it, and so forth, and afterwards the same James Holly day cometh again here into Court in this same Term in his proper person, and the aforesaid William Rawlings all the solemnly called cometh not again but in contempt of the Court hath departed and made default

Therefore it is considered that the aforesaid James Holly day recover his seisin against the aforesaid Oliver Smith, of the Tenements aforesaid with the appurtenances, and that the same Oliver Smith have of the Lands of the aforesaid John Smith, to the value and so forth, and that the same John Smith, further 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 Holly day prayeth the writ of the right Honorable the Lord proprietary to the Sheriff of Kent County aforesaid to be directed, to cause him to have full seisin of the Tenements aforesaid with the appurtenances, and to him it is granted returnable here on the second Tuesday in April next and so forth

Test Reverdy Ghiselin Clk.

12.

James Holly day
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Isaac Freeman.

Maryland to wit. Command was given to the Sheriff of Kent County, that he should command Isaac Freeman, of Kent County Gentleman, that justly and without delay he render unto James Holly day Gentleman all that tract or parcel of plantable Land lying and being in Kent County aforesaid called and known by the name of Castle Carey, containing two hundred and ninety three acres with the appurtenances in Kent County aforesaid which he claimed to be his right and Inheritance, and into which the same Isaac

Freeman