Ad Wm Simon Simmot lessee Jno Reed & Hannah his wife } Maryland } Thomas Hebb late
Att Ch. Thomas Hebb - - - } of St Marys County Yeoman was
attached to answer unto Simon Simmot
of a plea wherefore with force & armes &c
into a gardell or dividend of land and whereby estimate
and division made is the one moiety of a tract of Land called Hebbens
hole which Hebbens hole containing seven hundred acres and which moiety
called the westermost division of the said Hebbens hole and is separated
from the other moiety by the following Line viz: Beginning at a
bounded burr Oake standing upon St Johns Creeke of Portobacco Bean
point in St Georges Creeke, thence alined down to a water Oake marked
and bounded, at the mouth of a Cove or pond in St Georges river
which John Read and Hannah his wife of St Marys County unto the
aforesaid Simon Simmott have demised for a term of years yet unexpired he
did enter and him from his farm aforesaid did eject and other injuries to
him did to ye great damage of the said Simon and against the peace of our
Soveraigne Lady the Queen that now is &c.

And whereupon the said Simon by William Bladen his attorney
complained, that whereas the aforesaid John Read and Hannah his wife
the first day of May in ye year of our Lord one thousand seven
hundred and twelve at said Marys County by a certaine Indenture
between the aforesaid John and Hannah of the one part and the said
Simon Simmott of the other part made, one part whereof signed with
the seale of the aforesaid John and Hannah the said Simon here into Court
brings whose date is the same day and yeare, had demised and to farm
lett unto the said Simon the said tract or dividend of land by the
name of the westermost division of Hebbens hole with the appurtenances
in Hebbens hole aforesaid To HAVE and to hold the said tract or dividend of
land with the appurtenances from the day of the date of the said
Indenture unto the full end and term of five yeare from thence next
ensueing fully to be Compleated and Ended By Verte of which demise
the said Simon into the Tenemts aforesaid did enter and was thereof possessed
and being so thereof possessed the aforesaid Thomas Hebb ye Ninth day of May
aforesaid in the year aforesaid with force and armes &c into the tenements aforesaid
with the appurtenances which the aforesaid John Read and Hannah his wife
to the said Simon in form aforesaid demised for a term of years which is
not yet passed did enter and him from his farm aforesaid did eject and other
injuries to him did to the great damage of the said Simon
and against the peace of our Soveraigne Lady the Queen that now is
&c. And whereupon the same Simon saith he is damnified and hath
loss to the value of 400 lbs tobacco & therefore he brings his suite &c
plegis of prosecution John Doe and Richard Roe -

July Court 1713

And the said Thomas Hebb by Warnel Hunt and Cornelius Wheile his attorneys
comes and defends the force and injury when &c and prays Leave to Imparle
hereunto untill next Court and he hath it & the same day is given to ye pltf
also - At which said next Court to wit the 7th day of October Anno Domi 1713
Comes again as well the said Simon Simmot lessee of the said John Reed and
Hannah his wife by his attorney aforesaid as the said Thomas Hebb by his attorneys aforesaid
and the said Thomas Hebb by his said attorney prayd further Leave to Imparle
hereunto untill next Court and he hatheit & the same day is given to the
plaintiff also. And for that it seems to the Court here that it is absolutely
necessary for the better Information of the Court and Jury in the trutt of
the premises that that parcell of land called Hebbens Hole containing
seven hundred acres Beginning at a bounded burr Oake standing upon
St Johns Creeke respecting Bean point in St Georges Creeke and soule
as aforesaid be carefully resurveyed and laid out according to the abouten
mentioned and bounds thereof as in the Original Court of Survey thereof is
expressed and to the end that the said land in controversy and the claims
and pretentions of both parties might more plainly and indifferently
appear to the Court and Jury It was ordered by the said Court that
the Queens Surveyor of St Marys County for the time being or any other
discreet and skilfull person in his absence to be nominated and
appointed by the said pltf and deft in the presence of the sheriff of
the said County carefully resurvey and lay out as well the said Land
in Question as any other Lands adjacent thereto which should be
thought necessary by the said pltf and deft to be laid out for the
better illustration of the matter according to the Claims and pretences
of the pltf in the presence of the deft if he being summoned should
think fitt to be present and without any interruption of him the said
deft And otherwise should survey and Lay out the same land in dispute
as aforesaid according to the Claims and pretences of the deft in presence
of the pltf if he being summoned should think fitt to be present without
any interrupcon of the pltf, and the said sheriff was thereby Impowered
to examine upon Oath any Witness or Witnesses that by either of the
said parties shall be produced in Relation to the same, And the same
surveyor was thereby commanded to return two fair Cert. and plats
thereof drawing the pretences of ye pltf in blacklines and ye pretences
of ye deft in pricked lines as well under ye hand and seale of ye
said sheriff as the surveyor to the Justices of the Provl Court to
be held at Annapolis the second tuesday of April next that the said
Justices and Jury being rightly informed of the truth of the premises
might further proceed therein as to justice appertaineth &c -

Att