terms, a writ of Commission was prayed in the names of John Williams as may be seen by exhibit B.B. herein before referred to, although the right of John Williams was extinguished by the bond, as per exhibit E. herein before refered to, viz., inasmuch as William Davis Allen took by purchase, he could not in right of the eldest make him make election to take the whole estate of the said Jane Strawbridge if the Commissioners reported that the same would not divide &c for a purchase of an undivided right of an estate from one of the heirs does not entitle the purchaser to such election, on writ of commission although the purchase be made of him, who might himself have so taken, hence your orator infers which is most true, that the name of John Williams was thus inserted to perfect the title agreeably to his bond, as seen by exhibit E. herein before refered to, and and the said William Davis Allen in the accomplishment of a clear right to such lands, as the said Jane Strawbridge died seized of, clear of disputes, and that the consideration named &c as in exhibit F herein before refered to, was principally paid to the heirs severally by the said William D. Allen himself and not to John Williams, who was a mere necessary agent or actor in the transaction without present or future interest, and that by his "John Williams's" bond and deed as per exhibits E. & F. to William D. Allen, he the said Williams is forever estopped both in law & equity from all right, title, claim or interest which he may have had to all the lands descended to him, among others, as heir of Jane Strawbridge Known by the names of Widow Change & Convenient addition, little, lot, and tract — Your orator would further humbly State, that the herein before named Commissioners as per exhibit B.B. herewith produced & according to law & after having made survey and examined as to such lands as descended to Jane Strawbridge clear of disputes, and of which the dist. heirs so clear of disputes the said commissioners proceeded to estimate the same rejecting that part of Widow Change wherein the alleged trespass was said to have been committed & because that part of Widow Change was claimed by one Matthias Miller in his location of a tract of land called "Cole Rain" at the time of the meeting of said Commissioners was also claimed by the patentee of Coney Warren both of whom urged their claims before said Commissioners, all which can (be)

be fully proven by Col. John B. Wilson the only surviving Commissioner named in the said Commission as herein before stated. Your Orator would moreover state that the said John Williams did elect to take the same lands as estimated by the commissioners, which included so much of Widow Change as was clear of dispute and no more, and which said lands as aforesaid estimated, were conveyed by Deed from John Williams to William D. Allen as by Exhibit F herein before mentioned also rejecting that part of Widow Change then in dispute in the same manner as done by the aforesaid Commissioners, all which could be more fully exemplified from the additional returns & plat of the said Commissioners going to confirm the statements of Col. John B. Wilson one of the Commissioners aforesaid but for the circumstance of the said additional return having been mislaid in the office of the Clerk of Somerset County as by the certificate of John Done Esq. Clerk of said County will more fully appear, and which is prayed to make a part of this Bill of complaint marked F.a. Exhibit L.L. filed herewith is prayed to make part of this Bill of Complaint if necessary to the intent of your orator in the premises — your orator would further state that the proceedings of the said Commissioners were made under the Act of Assembly of this State to direct descents, which requires the Commissioners to estimate the real estate of the intestate as he died seized regarding incumbrances, consequently rejecting disputed and unsettled titles, for as much as if subsequently determined in favor of the heirs of an intestate, can by a new commission be adjusted among them: from all which &c your orator clearly believes that John Williams has no right, title or interest in any part of Widow Change more especially that part rejected by the aforesaid Commissioners and whereon the trespass for which your orator has so severely suffered was laid. or if the said John Williams be not estopped by his own deed, he the said John Williams can claim no more than one undivided fifteenth part of the aforesaid part of Widow Change so rejected by the said Commissioners as by exhibit B.B. herein before refered mentioned and in either case his title would be insufficient to maintain the trespass as pretended &c in the action at law, as refers to by Exhibit A. files with the Bill of complaint to which this is a supplement a copy of which also marked A is exhibited herewith and prayed to be taken as a part of this Bill of Complaint —