May Term 1702

Montgomery County Greeting Whereas at a General Court held at the City of Annapolis for the western shore of the said State on the eighth day of October Seventeen hundred and eighty one before the honorable Robert Hanson Harrison Esquire chief Judge of our said Court and others his Associates then Judges of the same Court a certain Thomas Cramphin had sued and impleaded a certain Henry Hardy Wilcoxon late of Frederick County farmer in a plea wherefore with force and arms the close of him the said Thomas at Frederick County aforesaid he broke and entered and his timber trees there lately growing to the value of forty pounds Sterling money he felled and cut down and the timber and wood therefrom coming and arising took carried away and converted to his own proper use and the earth and Soil of the said Close tore up and plowed and other enormities to him did to the great damage of the said Thomas and against the peace and so forth. For that the aforesaid Henry on the first day of September in the year of our Lord one thousand Seven hundred and Seventy and on divers other days and times between that day and the day of the impetration of the original writ in this cause with force and arms and so forth at Frederick County aforesaid the Close of him the said Thomas Cramphin at Frederick County aforesaid called Mothers Goodwill he has broke and entered and the timber Trees of him the said Thomas Cramphin there lately growing to wit fifty red oaks fifty white Oaks fifty black oaks and fifty poplars of the value of one hundred pounds Current money he had felled and cut down and the timber and wood therefrom coming and arising he had taken carried away and converted to his own proper use and the earth and Soil of the said close to wit two hundred Acres he had tore up and plowed and other Enormities to him had done to the great damage of him the said Thomas Cramphin and against the peace of the right honorable the Lord Propietary his good rule and Government whereby the said Thomas Cramphin said he was the worse and had damage to the value of one hundred and twenty pounds Current money and therefore he had brought suit and so forth It was therefore so far provided in our said Court that the said Thomas Cramphin ought to recover his damages against the aforesaid Henry Hardy Wilcoxon by means of the premises for all that part of Mothers Good will beginning at the end of fifty five perches in the seventh line of the said Tract called Mothers Good will and running thence South one degree West thirteen perches South forty four and a half degrees East twenty four perches North eighty six and a half degrees East three perches South ten degrees East eight perches South eight degrees East fourteen perches South nine Degrees West fifteen perches South twenty seven degrees East nineteen perches South fifty seven degrees East twelve perches South three degrees East twelve perches north seventy six degrees East twenty one perches North fifteen degrees West three perches North Seventy two degrees East fourteen and a half perches North fourteen and a half degrees East thirty one perches North thirteen degrees West seven perches North thirty four degrees East six perches north nineteen degrees West thirty six perches north thirty five degrees West ten perches North twenty six degrees West ten perches North forty degrees West six perches South seventy one degrees West twelve perches South seventy nine degrees West twelve perches North nineteen Degrees West thirty nine perches North Eighty Degrees West four perches to the seventh line of Mothers Goodwill then by a strait line to the beginning containing thirty nine and a quarter Acres of land but because it is unknown unto our said Judges

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what damages the aforesaid Thomas Cramphin has sustained Therefore we command you that inasmuch as the land and premises aforesaid are now within the limits of Montgomery County aforesaid that by the oath of twelve honest and lawful men of your Bailiwick you diligently enquire what damages the aforesaid Thomas Cramphin hath sustained as well on the Account aforesaid as for his costs and Charges by him put into about his suit in this behalf And the Inquisition which you shall thereof make you cause to make appear before the Judges of our General Court to be held at the City of Annapolis on the Second Tuesday of May next under your Seal and the Seals of them by whose oath you take that Inquisition and have you then and there this writ Witness the honorable Robert Hanson Harrison Esquire Chief Judge of our said Court the 5th day of November Anno Domini 1701

Issued 20th November 1701. (T Jennings) Thos. Brooke Hodgkin Cl.

And now here at this day to wit the 11th day of May Anno Domini 1702 Comes the said Thomas Cramphin by Thomas Jennings his Attorney and the Sheriff of Montgomery County to whom the aforegoing writ was directed also comes and makes return thereof to the Court here thus endorsed to wit The Execution of the within writ appears by the Inquisition hereunto annexed Sworn answers Simon Nicholls Shff.

The inquisition mentioned in the aforegoing return follows in these words to wit

To the honourable the Judges of the General Court for the Western Shore of the State of Maryland In obedience to the writ to me directed to which this Inquisition is annexed I hereby certify that by the oath of Charles Clagett Solomon Simpson William Hickman James Soper John Baptist Mattingly Greenbury Gaither William Vears Michael Ashford Dowden Stephen Newton Chiswell Lawrence Owen George Frazier Magruder and Samuel Dyson good and lawful men of my Bailiwick who after being duly Summoned and Sworn diligently to enquire what damages Thomas Cramphin Plaintiff hath sustained by occasion of the Trespass committed by Henry Hardy Wilcoxon Defendant on that part of Mothers Goodwill in the same writ specified upon their oath do say that the said Thomas Cramphin the plaintiff besides his costs and charges in this behalf expended hath sustained damages to the amount of Sixteen thousand pounds of Crop Tobacco and no more In testimony whereof I as well as the Jurors aforesaid have hereunto set our hands and affixed our Seals the ninth day of May in the year Seventeen hundred and eighty two

Simon Nicholls Sheriff (Seal) Newton Chiswell (Seal)

Charles Clagett foreman (Seal) John B. Mattingly (Seal) Lawrence Owen (Seal)

Solomon Simpson (Seal) Greenbury Gaither (Seal) Geo. F. Magruder (Seal)

William Hickman (Seal) William Vears (Seal) Samuel Dyson (Seal)

James Soper (Seal) Michael Dowden (Seal)

Therefore it is considered by the Judges here that the said Thomas Cramphin recover against the said Henry Hardy Wilcoxon as well the sum of Sixteen thousand pounds of Crop Tobacco his damages aforesaid by the Jurors aforesaid found as also the sum of pounds of Tobacco by the Court here unto him on his Assent adjudged for his costs and charges by him about his suit in that behalf laid out and expended and the said Defendant in mercy &c Test

Thos. B. Hodgkin Cl.