

" JACK LLEWELLIN,

" Lett patent issue to Richard Brenton for the two hundred acres called Wignall's Rest, on Gunpowder River, he having made good the summe of three thousand pounds of tobacco (being the consideration for the same) to

Your Friend,

C. BALTIMORE."

" 29th Xbr. 1682.—To Mr. John Lewellin."

LIBER, W. C. No. 4, fol. 294.

" Randolph Brandt, of Charles County, presents a petition, stating that he had theretofore prayed and obtained a writ of mandamus for an inquisition concerning a tract of one hundred and fifty acres of land, formerly in the possession of George Rapiet, deceased, upon the return of which inquisition the said land was *adjudged and condemned escheated* to his lordship for want of heir of the said George Rapiet; and that upon his further application he obtained an order from his lordship for a grant of the said land for a consideration *truly* paid: but that upon stricter search in the land office he finds that the said Rapiet had laid out for him the 28th of May, 1653, and returned a certificate of a parcel of land in the said county for two hundred acres; that Richard Lloyd, who married the widow of Rapiet, sold the same to David Philips, also deceased: so that the aforesaid inquisition, and the judgement of the provincial court are erroneous, the said Rapiet having at his decease no land which could escheat to his lordship, the right and title thereof being vested and settled in the said David Philips. He therefore prays, that *the mandamus, inquisition, and judgement aforesaid may be vacated*, and that a new writ of mandamus may issue directing an enquiry concerning the said land as the property of Philips, which is granted.

The said Brandt on the next *council day* held on the 2nd of May, 1681, by another petition sets forth, that having advised with his counsel, he conceives the right to the said tract to be altogether in his lordship *without any escheat*, the conditions of plantation in respect to the taking out grants within one year not having been complied with, and the land never patented, so that neither Rapiet or Philips had at their deaths just claim thereto. He therefore prays an immediate order to the register of the land office, that patent may issue to him according to the certificate formerly returned by Rapiet, and without any regard to the preceding orders of the board respecting the said lands. To which the following answer is made.

" His Lordship desires first to be legally vested and entitled of and in to the land mentioned in the petition before