

Defend.^t intered into the Premisses and four hundred Acres of Land and became thereof Seized and had been ever Since in possession thereof and that after the Sealing thereof his Excelency Charles Calvert Esq.^r Cap.ⁿ Generall of this Province & Henry Sewall Esq.^r Secretary of this Province coming to the Defend.^{ts} house the Defend.^{ts} wittnesses being then liveing that Could prove the Def.^t bought the Said four hundred Acres of Land of the Said William Hawleij in his life tyme and that he paid three thousand pounds of Tobacco in part of payment for the Same though hee had noe assureance from Hawley under his hand but produceing the Said Indenture to them to know if the Same were vallid and good in Law otherwise that he would procure his Evidences to bee sworne & Examined in this Court in perpetuam rei memoriam to prove his Purchase of Hawley in his life tyme his honnour the Governour did then assure the Defend.^t that he had a good title without haveing itt from W.^m Hawley but the Secretary said W.^m Hawley had noe title to the premisses but the Same belonged to the heyres of Jerome Hawley deceased and the Governour had then a letter of Attorney from the Daughters of the Said Jerome Hawley whose land itt really was and the said Secretarij said if the Defend.^t would give him a Sorrell horse he would make the Defend.^{ts} title good to the Said four hundred Acres of Land and Since he was advised by all persons that were learned in the Laws that his title was good and soe he proceeded noe further and hath Continued in the Quiet and peaceable possession ever Since and paid the rent and soe w.th the Generall Traverse he Concluded his answer to w.^{ch} Answer of the said Defend.^{ts} the Comp.^{lt} Replyed and the matter being att a full & perfect Issue divers wittnesses were Examined in the said Cause and the Depositions Duely published according to the Antient and accustomed rules of this Court and this cause being Ripe for a hearing before a day was by this Court appointed for the hearing thereof the said Thomas Mathews the Elder dyed leaveing behind him Thomas Mathews the younger his sonne and heyre who presently after dyed alsoe and soe the Said suit abated and the Said Thomas Mathews the younger left behind the Defendant Ignatius Mathews his sonne and heyre an infant who claymed right to the Premisses either as heyre to the said Thomas Mathews the elder or by vertue of some other Right by will or otherwise Therefore that the Said suite and all the Proceedings thereupon might Stand revived against the said Ignatius Mathews and that hee might Sett forth his title to the said Lands and Premisses and that the Premisses might be decreed to the Comp.^{lt} & his heyres for ever he alsoe prayed the ayd and assistance of this Honn.^{b^{le}} Court and processe of Subp.^a to be directed to the Said Ignatius Mathews to appeare and answer the Premisses and to shew cause if any he had whij the Said suite and all the Proceedings thereupon should not Stand revived against him