

upon th^e Record of Kent bearinge date 26th of Sept 1656 w^{ch} Illegall & uniust Actions of purpose to Beguile & utterly to Defeate yo^r pet^r of his Just Right & Intrest to th^e Plantacon afore said. Liber B

The prmices Considered Your Pet^r humbly Craues this Hon^{ble} Court to grant order, th^t yo^r pet^r may be reposest wth th^e aforesd Land soe farr as It may appeare wth Law, Equity, or Justice, to be yo^r pet^{rs} Right, And th^t th^e aforesd Iliue or South, or any other, th^t haue by any uniust or Illegall wayes or menes beene th^e occation of yo^r pet^{rs} dispoñion or detention of his just Right & Title from him may bee likewise ordered by this Court to pay such Cost and damage As yo^r pet^r can justly proue th^t hee hath sustained, either by their uniust molestacon or possescon or illegall detencon of th^e afore sd Land and pay Cost of suite And as in Duty bound yo^r Pet^r shall euer pray &c.

Elizabeth Clay sworne 19th day of July 1658 upon Interrogatiues w^{ch} are Annexed hereunto

To th^e first Interrogatory shee Answareth affirmitiuely

To th^e second th^t Francis Brookes, m^r Morgan & m^r Ringgold were there, shee answareth allsoe affirmatiuely.

To th^e 3^d whether Iliue gaue poñion or noe, shee knoweth not But saith th^t Fran: Brookes demanded poseñ.

To th^e 4th Concerninge Iliues answar, shee remembreth not, only th^t th^e s^d Iliue denied him poñion. Eliz: **B** Clay: her marke

That About 6 or 7 yeares since whether or noe you ware not At th^e house of Isacke Iliue all th^t time th^t Francis Brookes & m^r Morgan & m^r Ringgold was there & whether th^e s^d Iliue did in th^t time giue th^e said m^r Brookes Poñion: And allsoe to declare what m^r Iliues answar was to th^e sd m^r Brookes.

John Salter Plt. }
Tho: South Deft. }

[fol. 39]

The Plantife demands th^e Plantacon upon Beuer Necke Formerly belonginge to John Greffam & Forfited to th^e Lord propriatory: by his Rebellion & Treason, And produces a spetiall war^t Frō his Lor^{ps} to th^e Gouer^r bearinge date th^e 26th August 1651 to passe a grant of th^e sd plantacon to th^e sd Brookes, From whom th^e s^d Salter deriueth his Title by Convayance. The Deffend^t alledges he hath a Convayance from Isacke Iliue who was possessed of th^e sd Land by vertue of A war^t upon the Condiçons of Plantacons granted by Cap^t Stone, & th^t A Cirtificat of survey. was thereupon returned 18th August 1650 whereupon they Joyne Issue.

Therefore It is Considered by th^e Court th^t th^e war^t pleaded by th^e deffend^t Could not by vertue of any Conditions of plantacons be surveyed upon any Land Formerly escheated to his Lor^{ps}. The Court doth therefore Judge that th^e Land Convayed by Brookes to th^e Plant. bee by th^e Shirriffe put into his possesscō & that th^e Defen-