

Ord<sup>r</sup> allsoe giuen to the sherriffe of Charles County to Proclame her in that County Court 3 seuerall Courts, and if noe appearance made by her to be for euer Outlawed Liber FF

The Grand Jury dismiss

This Tryall suspended untill next Prouinall Court wether the said Mary Marler can be found or not and that in the Interim the said Jone Neuill and Elioner Lindsey be summoned to the next Prouinciall Court to testifye herein

To the Hon<sup>ble</sup> Charles Caluert Esq<sup>r</sup> Gouverno<sup>r</sup> and to the rest of the Councill of the prouince of Maryland

The humble pet<sup>n</sup> of Tho: Touey Tho: Frost & Tho: Smyth Sheweth

That Robert Brasseiur the Elder late of Caluert County de<sup>cd</sup> by his last will in writing bequeathed unto yo<sup>r</sup> pet<sup>rs</sup> three hundred acres of land upon which he then liued Equally amongst them charged w<sup>th</sup> incumbrances (uizt) the remaind<sup>r</sup> of the tobaccoes unpaid to Benjamin Brasseiur his Brother of whome he bought the said three hundred acres of land and att the time of his decease left yo<sup>r</sup> pet<sup>rs</sup> in the po<sup>ss</sup>on of the s<sup>d</sup> land by which yo<sup>r</sup> said pet<sup>rs</sup> became lawfully & quietly seized of the said land, from whence by Magna Carta they ought not to be remoued but by legall Judgm<sup>t</sup> of their Peares (uizt) by ac<sup>con</sup> brought and uerdict of a Jury of 12 men of the Neighbourhood which Not withing Sampson Waring either upon pretence of letters of Adm<sup>con</sup> upon the Estate of the s<sup>d</sup> Robert Brasseiur de<sup>cd</sup>: which cann noe way entitle him to meddle w<sup>th</sup> the lands of the said de<sup>cd</sup> or as Guardian to Rob<sup>t</sup> Brasseiur nephew to the s<sup>d</sup> Robert Brassieur upon false surmises & presumptions and w<sup>th</sup>out ac<sup>con</sup> brought, an Order unto the sherriffe of the said County to out yo<sup>r</sup> pet<sup>rs</sup> then and still unheard of their lawfull and quiett poss<sup>on</sup> Extrajudicially and unduely hath Obtained and them the s<sup>d</sup> Thomas Touey Thomas Frost and Tho: smyth Out of the said land by uertue of the said Order cast, Contrary to law and right reason Upon Considera<sup>con</sup> of which yo<sup>r</sup> pet<sup>rs</sup> humbly pray yo<sup>r</sup> Honno<sup>rs</sup> Order to reuerse the said Exstrajudiciall and undue proceedings, and to restore them to their possessions both of lands and Goods upon the s<sup>d</sup> lands to yo<sup>r</sup> pet<sup>rs</sup> any wayes belonging till according to the Justice of yo<sup>r</sup> Honno<sup>rs</sup> Courts upon the truth appearing in a legall way yo<sup>w</sup> shall see cause to out them of the said lands and Goods by the last will of the said Rob<sup>t</sup> Brassieur the Elder to them bequeathed or to Continue them as they hope yo<sup>w</sup> will finde Just Cause And (as in duty bound) they shall pray &<sup>c</sup> [p. 316]

Know all men by these p<sup>s</sup>ents that Wee Thomas Frost Thomas Touey and Thomas smyth of Caluert County in the Prouince of Maryland planters haue assigned Ordained and made and in Our stead and places put and Constituted Our trusty and well beloued freinds W<sup>m</sup> Caluert Esq<sup>r</sup> John morecroft and John Gittings gen<sup>t</sup>