

Liber M M Proprietary of the said Province in the life time of the said Thomas Gerard thelder to wit about the Sixteenth day of November in the yeare of Our Lord One thousand six hundred seventy two into the said foure hundred acres of Land called the Meadows enter & him the said Thomas Gerard the Younger did expell amove & hold Out after the death of the said Thomas Gerard thelder. And the said Joshua before the R^t Hon^{ble} Charles Calvert Esq^z & his Associates justices of his Lopps the Lord Proprietaryes Court of Chancery here that is to say at the City of S^t Maries upon the ninth day of March in the yeare of Our Lord One thousand six hundred seventy three Sued Out a writ of Scire facias against the said Thomas Gerard the younger to shew cause wherefore the Patent for the foure hundred acres of land called the Meadows should not be revoaked & adnulled and the same into his Lopps hands be seized and gott judgment thereupon for the Vacateing the said patent. And although the said Thomas Gerard the Younger did in friendly manner request the said Thomas Gerard in his life time and the said Rose & John Gerard since his death & pending the said writ of Scire facias to warrant unto the said Thomas Gerard the Younger the said foure hundred acres of land called the Meadows and to hold to him their Covenant aforesaid Yet the said Thomas Gerard in his life time did refuse & the said Rose and John since his death have refused & still doe refuse to warrant the same and the Covenant aforesaid have not held but have broken the same in that that the aforesaid Thomas Gerard thelder his heirs execut^{rs} and adm^{rs} would warrant the aforesaid Mannour of Westwood and the aforesaid foure hundred acres of Land called the Meadows & every part thereof to be free & cleere & freely & cleerely acquitted exonerated & discharged from all & all manner of joyntures Dowers Titles of dowers mortgages former grants claimes or incumbrances whatsoever of any manner of person or persons whatsoever (except before excepted) to him the said Thomas Gerard the Younger his heirs & assignes for ever And the said Rose & John the Covenant aforesaid to him the said Thomas Gerard the Younger doe still deny to hold whereupon he saith he is dampnified & hath losse to the value of Sixty thousand pounds of tobacco And thereupon he brings his suite.

And the said Rose and John Gerard by Vincent Lowe their Atorny cometh &c and say they Ought not nor are bound by the Law to hold Covenant with the said Thomas as above against them is supposed for that the said Rose and John have paid and are engaged by bills to pay Out of the estate of Thomas Gerard Esq^z deceased more then the personall estate of him the said Thomas deceased doe amount unto & have or will come to their hands as executors of him the said Thomas deceased and of this they putt themselves upon the Country.

And the Said Thomas Saith that he Ought not to be debarred