

Liber N N the twentieth day of february in the third year of the Dominion of Charles Lord Baltemore &c Annoq̄ Doni 1677 that the said John Serjeant & Mary his wife late wife of Edward Norman Guardians of Rosamond Norman daughter & heyre of the said Edward Norman in right of the said Rosamond their possession of the said Messuage & one hundred acres of land recover And the said _____ in mercy

W^m Taylor } Itt was this day to witt the three & twentieth day of
 ag^t } february in the third year of the Dominion of Charles
 W^m Layton } Lord Baltemore &c Annoq̄ Dni 1677 moved to the
 Court here by Robert Ridgely Attorney for the plain-
 tiffe That whereas the Eighth day of Octob^r last past att a Pro-
 vincial Court then holden, the Defend^{ts} by Robert Carvile their
 Attorney in the absence of the plaintiffe & his said Attorney did sur-
 reptitiously obtaine an order of this Court which followes in these
 words viz^t that whereas att the said Eighth day of Octob^r came W^m
 Taylor by Robert Ridgely his Attorney & W^m Layton by Robert
 Carvile his Attorney, but because itt appeared to the Court here that
 this action in Ejectm^t was comenced by the said W^m Tailor as Lesse
 to the said Thomas Jones ag^t W^m Layton the casuall Ejector And the
 said Andrew Whittington & Richard Chambers being named De-
 fend^{ts} instead of the casuall Ejector to try the Title to one Messuage
 of One thousand acres of land in Som^rsett County late in the tenure
 or occupacon of the said Thomas Jones And the Court findeing itt
 necessary that the bounds of the said persons lands be Surveyed by
 a skillfull person according to their respective Patents & a faire plott
 & Certificate thereof be returned to the Court, Itt is by the Court
 this day ordered, that M^r ffrancis Jenckins Deputy Survey^r of the
 said County be especially appointed by this Court & is hereby ap-
 pointed impowered & comanded to lay out the lands of the said parties
 according to their ancient meetes & bounds runing the lines accord-
 ing to the Patents in the p^rsence of the Sheriffe of the said County,
 who is hereby comanded & impowered to Sumon & impanel a Jury
 upon the said lands & examine Evidences upon Oath that the truth
 of the matter may be fully discovered And the said Survey^r is hereby
 ordered to run his lines according to the evidence then given & the
 direction of of the Jury, & to returne & Certificate of his proceedings
 herein & a faire plott distinctly drawn of the lands in question, to-
 gether with the Evidence that was then sworne to the next Provin-
 ciall Court attested under the hand of the said Survey^r Sheriffe &
 Jurors, that so his Lordp^{ps} Justices being fully informed of the truth
 of the p^rmisses may doe therein as to Justice appertaineth. So that
 by the said order the said plaintiffe in a reall accon was concluded un-
 heard contrary to Law, And the said Robert Ridgely prayed that the
 said order & the Survey Thereupon returned by ffrancis Jenckins
 Deputy Survey^r be sett aside, & a new Survey awarded for the Re-