

survey of the said parcell of land called Naseworthys choice according to the ancient meetes & bounds of the Grant thereof issued in the name of Naseworthy Upon the mocon aforesaid, & the parties of both sides by their Attorneys being by this Court fully heard, & upon due & mature consideracon of the p^rmisses had & taken by his Lordps Justices here p^rsent This Court doe adjudge the said former order to be surreptitiously obtained by the Defend^{ts} And that all the proceedings thereon be null & void to all intents & purposes whatsoever And further doe order, that M^r ffancis Jenckins Deputy Survey^r of Som^rsett County be & is hereby espetially appointed and comanded to lay out the aforesaid One thousand acres of land called Nase-worthys choice according to the ancient bounds thereof specified in Naseworthys Patent, provided the lines thereof run not into the land of any person Surveyed before the first Survey of the said land And that the said land by the said Survey^r be laid out in p^rsence of the Sheriffe of the said County, who is hereby comanded & impowered to Sumons & impannell a Jury upon the said land, who are to be duely sworne by the said Sheriffe to direct the said Survey^r according to the best of their knowledge of the true ancient bounds of the said one thousand acres of land called Naseworthys choice And the said Survey^r is hereby ordered to returne a Certificate of his proceedings herein And also a faire Certificate & plott of the meets & bounds of the said land called Naseworthys choice under his hand & the hands & Seales of the Sheriffe & Jurors aforesaid to his Lordps Justices here the ninth day of Aprill next, that so his Lor^dps Justices being fully informed of the truth of the p^rmisses may doe therein as to Justice appertaineth

ffeb: 25th 1677.

Edward Ball

ag^t

Richd Brightwell

} Itt is ordered by the Court by consent of Robert Carvile Attorney for the plaintiffe & Robert Ridgely Attorney for Bernard Johnson Cooper of Calvert County, that the said Bernard Johnson be admitted defend^t who shall forthwith appeare by his Attorney aforesaid, & receive a declaracon & shall plead thereunto the generall issue as of this Court And att the tryall thereupon to be had, the said Bernard shall appeare in his proper person or by his Council or Attorney, & shall confesse lease entry & Ejectm^t or in default thereof Judgem^t shall be entred thereupon ag^t the said Richard Brightwell the casual Ejector But further prosecucon shall be stayed ag^t him untill he shall make default in any the p^rmisses And itt is further ordered by this Court by consent aforesaid that the said Bernard shall not take any advantage ag^t the plaintiffe for not presecuteing his tryall occasioned by such default But that the said Bernard Johnson shall pay unto the plaintiffe such costs as shall be by this Court taxed for the same And itt is further ordered that the lessor to the