

whereas att the said Eighth day of Octob<sup>r</sup> came Ninian Beale by Christopher Rousby his Attorney & James Moore by George Parker his Attorney, but because itt appeared to the Court here that this action of Ejectm<sup>t</sup> was comenced by the said Ninian Beale as Lessee to the said Daniel Cuningham & Bridget his wife ag<sup>t</sup> James Moore the casuall Ejector And the said Richard Edwards & Hannah his wife being named Defend<sup>ts</sup> instead of the casuall Ejector to try the title to one Messuage & two hundred acres of land scituate lying & being on the Northern branch of Petuxent River being the North part of a tract of land late in the possession of John Pott deceased called Mount pleasant & being now in dispute between the said Daniel Cuningham & Bridget his wife & the said Richard Edwards & Hannah his wife And the Court findeing itt necessary that a faire plott & Certificate thereof be returned to the Court, itt is by the Court this day ordered that Cha: Boteler Deputy Survey<sup>r</sup> be especially appointed by this Court & is hereby appointed impowered & comanded to lay out the land aforesaid & run out the true lines & sett out their meetes & bounds according to the true intent & meaning of the Will of the said John Pott And to returne a Certificate of his pceeding herein & a faire plott distinctly drawne of the said land in question to the next Provinciaall Court to be held att S<sup>t</sup> Maryes the fourth day of Decemb<sup>r</sup> next attested under his hand, that so his Lordps Justices being fully informed of the truth of the p<sup>r</sup>misses may doe therein what to Justice shall appertaine By vertue of which said order Charles Boteler Deputy Survey<sup>r</sup> went upon the lands in question, & returned his proceedings therein in writing under his hand which followes in these words viz<sup>t</sup> Whereas by an order of the Provinciaall Court I have bin comanded to lay out & run the true lines of two hundred acres of land part of a parcell of land called Mount pleasant according to the true intent & meaning of the Will of John Pott late of Calvert County deceased, & returne Certificate & plott of the same to the Provinciaall Court These are humbly to Certifie that I Charles Boteler Deputy Survey<sup>r</sup> under Baker Brooke Esq<sup>r</sup> Survey<sup>r</sup> Gen<sup>ll</sup> in obedience to the said order of Court did goe upon the said land, but could not finde any bounded or lined tree of the same land or other known marke to begin the Survey upon, so that the same land I could not Resurvey nor the lines thereof runn out as by the said order I was comanded. Whereupon & upon mocon made to this Court the fourteenth day of ffebruary 1677 by Chr Rousby in the p<sup>r</sup>sence of the Attorney for the Defend<sup>t</sup> Itt is by the Court this day ordered, that the said Charles Boteler be & is hereby especially appointed & comanded to lay out that tract of land which lyes next above the land in question formerly Surveyed for John Pott before the tract in question was Surveyed, that the bounds of the land in question may be found out, to returne a Certificate of his proceedings herein, & also a faire Certificate & plott of the meetes & bounds

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