

Afterwards to witt the three & twentieth day of february aforesaid in the yeare aforesaid Robert Ridgely Attorney for the plaintiffe moved to the Court here, that whereas the aforesaid order of this Court in this cause of the Eighth day of Octobe^r last past was by Robert Carvile Attorney for the Defend^{ts} in the absence of the plaintiffe & his said Attorney surreptitiously obtained, so that by the said order the said plaintiffe in a reall action was concluded unheard contrary to Law And the said Robert Ridgely prayed that the said order & the aforesaid Survey thereupon returned bee sett aside, & a new Survey awarded for the Resurvey 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 Lopps 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 ffrancis Jenckins Deputy Survey^r of Som^rsett County be & is hereby especially appointed & comanded to lay out the aforesaid one thousand acres of land called Naseworthys 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 Sumon & impanell 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 & platt of the meets & bounds of the said land called Naseworthys choice under his hand & the hands & Seales of the Sheriffe & Jurors aforesaid to his Lopps Justices here, the ninth day of April next, that so his Lopps Justices being fully informed of the truth of the p^rmisses may doe therein as to Justice appertaineth—On which said ninth day of April the aforesaid order was continued untill the Eleventh day of June then next ensuing Att which said Eleventh day of June came the said Survey^r & made a returne of the said order in these words following viz^t

June 1st 1678.

To the Hon^{ble} Thomas Notley Esq^r Liev^t Gen^{ll} & chiefe Governor^r &c & the rest of the Hon^{ble} the Justices of the Provinciaall Court

By vertue of an Order of the Provinciaall Court bearing date the