

is the land surveyed for the said Whittmarsh, there being but one bound tree to be found upon the said tract which will be of great damage to your petitioner, and breed greate disputes and contentions among posterity; to prevent which, and to ascertain the bounds of both your petitioner's land and the land surveyed for the said Whittmarsh, your petitioner humbly prayed your lordship's special warrant to resurvey the said tract called Whittmarsh Delight, according to the true ancient intended meets and bounds thereof, to be laid out accordingly by and with the advice and directions of twelve good and lawfull men of the neighborhood therein knowne, to be by the sheriff of the said county of Somersett thereunto impannelled and sworne, for the surveyor's better information and instructions, and as in duty bound he shall pray &c.

"Ordered, that warrant of resurvey accordingly issue for the said tract called Whittmarsh Delight, to be laid out according to the true ancient intended meets and bounds thereof, to be ascertained by a jury of the neighbourhood by the sheriff of the said county of Somersett, thereunto lawfully impannelled and sworne for the surveyor's directions, giving also power and command to the said sheriff to sware witnesses."

*Vid. Warrt. Res.*—LIBER W. C. No. fo.

LIBER C. B. folio 199.

“ MARYLAND, ss.

“ Whereas John Lyon of the county of Somersett (being possessed of a certain tract of land in the said county formerly laid out for Richard Whittmarsh, called Whittmarshes Delight, lying on the east side of Chesapeake bay in a river called Nantecoke river, on the east side of the said river in a creek called Rowartiquot on the east side of the said creeke, beginning for breadth at a marked white oake, and running south one hundred and fifty perches to a marked red oake, bounding on the south with a line drawne west three hundred and twenty perches to a marked white oake, bounding on the west with a line drawne north one hundred and fifty perches by the river, bounding north with the said creeke, and bounding east with a branch of the said creeke, containing and there laid out for three hundred acres of land, more or less, not satisfied with his title thereunto intendeth to lett fall the pattent granted to the said Whittmarsh, for the same, and to take up the like quantity of three hundred acres of land by intrenching upon and running within the lynes of another tract since surveyed for James Weatherley of the same county and adjoining thereunto, under pretence of a more antient survey, and because there is but