

be vacated upon record, and that the petitioner making good rights for the surplusage, may have patent of confirmation for the whole."

LIBER 17, folio 585.

Every paper that has the least relation to the transfers aforesaid of Copill is recorded at large, at the end of which a warrant, reciting all the facts, and admitting Philips's title is issued agreeably to his prayer.

" Sarah Pile, widow, and Joseph Pile, son of John Pile deceased, by their petition set forth, that the said John had a warrant granted to him on the 19th of October 1653, for one thousand acres of land as the gift of the proprietary in consideration of services rendered and losses sustained by him in the troubles of the province, that he had in consequence a survey made at the head of Wicomoco river, but that it being represented that the said survey was within his lordship's reserve of Calverton, there was some doubt about the propriety of issuing patent for it, and his lordship upon the application of the said John Pile ordered, on the 4th of September 1657, that he should have three or four hundred acres at that place, where he had built and seated, and the remainder in any part of the province. That upon the said Pile's further petition respecting the said remainder, being six hundred acres, his lordship was pleased to order that they should be laid out adjoining the four hundred which he had been permitted to retain of the original survey and the whole erected into a manor agreeably to the original design, that this was done accordingly, and a patent passed as for a manor by the name of Sarum, being the land on which the petitioners reside.

" That the petitioners are informed that by reason there is a great quantity of marsh between the water and the said land, (which marsh was not wont to be taken up in those days) there is more than a thousand acres contained within the bounds, and also that there is to the said land a greater breadth allowed upon the water than was allowed by his lordship's then conditions of plantation, which might (if severely looked into) create great trouble to the petitioners, the present possessors of the land, and cause the said grant to be vacated upon record, and render the proprietary's noble gift to the aforesaid John Pile of no value.

" They therefore pray that the said land may be granted to the petitioner Joseph Pile with reservation of one third thereof to the petitioner Sarah Pile during her life—that all former grants touching or concerning the same may be vacated upon record, and the new grant passed to the said Joseph Pile as his (then) present lordship's bountiful gift, without men-