

men of My bailywick Made known Unto the widdow of the Within named Walter Beane that she be and Appear at the Day and Place within Contained to Shew Cause if any She have as by the writt within I am Commanded. John Allen Sherriff

Whereupon Elianor Beane Widdow of the Said Walter being Called appeared by her Son in Law Mathew Hill of Charles County Gen^t who Surrendred Up the afs^d Grant of the Land Called Durham into the Hands of the said Lord Prop^{ry} and the Court ordered the Same to be Cancelled W^{ch} was Done by tearing of the Seale in open Court and further ordered that the Record of the Said Patent be vacated obliterated and Scored out by the Hon^{ble} the Chancellor of this province And this Court Do Adjudge ord^r and Decree the said Parcell of Land Called Durham in the Said Patent named to be seized into the hands of the Lord Proprietary And that the said Lord Prop^{ry} (Notwithstanding the Grant afs^d by the Said Walter Surreptitiously obtained) is Lawfull [791] And Right owner of the said Land and Premisses and Every part and parcell thereof and the Same May or Dispose of at his pleasure.

We find that it Doth not Appear by the Chancery Proceedings but that the Said Writt of Sc:fa: was issued returned and Judgment rendered thereon the very Same Day. We find that altho' the proceedings afs^d for vacating the said Beanes Grant were Carried on with So much Speed, Yet that the Land Called Barbadoes w^{ch} as the Plaintiff alledges Includes the Land Called Durham was Sur^d for the Said Elizabeth before the impetration of the Writt of Scire facias afs^d Viz^t: the Twenty fourth Day of Sep^r Anno Dom: 1673 As Appears by the following Return or Certificate of the Said Survey Viz^t: Barbadoes

September the 24th 1673 To his Excell^{ty} the Capⁿ Gen^l

Then layd out for M^{rs} Elizabeth Wharton Wife of Doct^r Jesse Wharton a parcell of Land lying in his Lordships Mannor of Panguaya Beginning on the East side of the Main Run of Portobacco Creek at the bound white Oak of the Land formerly laid out for W^m Herd and with the Said Herds line up a Small branch from the said Main Run East to the bound Gum of the Said Herds land thence With a Continued line East and bounding With the said Small branch for the length of Six Hund^d and forty Perches to a bounded white oak on the East thence wth a line Drawn North for the length of four Hund^d and forty Perches to a bounded white oak Standing Close by the said Main Runn of Portobacco Creek as afs^d on the North thence bounding with the S^d Main runn to the first bound Tree Containing and now laid out for one thousand Acres of Land more or less to be holden of the Said Mann^r of Panguaya.

Vera Copia Per Tho^s Bordley Reg^r:

We find that the first Entry that was made of the Reverse of panguaya Mann^r in the Land office that Appears to Us was on the first Day of May 1665 w^{ch} Entry Did not Contain any Certain Meets or bounds of the Said Mannor