

writ of *ad quod damnum* is, in all cases, required to be taken *before* the property can be entered upon, unless it should be specially dispensed with by statute, or the grant itself; (*d*) but, in this

(*d*) Jacob Law Dict. v. Ad Quod Damnum.

**PRESSLY'S CASE.**—Charles, absolute Lord and Proprietary of the Province of Maryland and Avalon, Lord Baron of Baltimore, &c.

To the sheriff of St. Mary's county, *greeting*; we command you, that by the oaths of twelve honest and lawful men of the county by whom the truth of the matter may be better known, you diligently inquire if it be to the damage of us or others, if we grant unto Col. Peter Pressly, of the colony of Virginia, twenty acres of land lying upon the head of St. Mary's river, in Saint Mary's county, aforesaid, being the place where Thomas Waughop formerly had built a water-mill upon, *viz*: ten acres on one side of the head of said river, and ten acres on the other side thereof, together with liberty to take, fell, cut down and carry away, either by land or water, any wood or timber wood fit for building a mill, other than timber fit to split into clapboards, next adjoining to the said twenty acres of land lying on each side of the said river in the county aforesaid. And if it be to the damage and prejudice of us, and to what damage and prejudice of others, and of whom, and in what manner, and how; and of what value they are by the year, according to the true value thereof now, before any further improvement of the said twenty acres of land, and who are the present possessors of the said twenty acres of land, and what lands and tenements remain to the said present possessors, over the said twenty acres, will suffice to uphold their manor, *viz*: the sixth part of their manor allotted them by the conditions of plantations for the demesne as before the alienation; so as the county, by the alienation aforesaid, in default of the present possession, more than was wont, be not charged and grieved. And the inquisition therein openly and distinctly made to us in our Chancery under the seal and seals of them by whom it was made, without delay, you send. Witness ourself, at the city of Annapolis, this twenty-fourth day of October, in the seventh year of our dominion, Annoque Domini 1722.

E. GRIFFITH, *Reg. in Chan.*

*Maryland, st.*

An inquisition indented and taken, by virtue of the writ which is hereunto annexed, at the head of St. Mary's river, in Saint George's and Saint Mary's hundred, in the county of Saint Mary's, by the oath of Richard Forrest, William Coombs, Timothy Tolle, Henry Taylor, Thomas Price, William Price, John Hilton, Clement Cheverill, John Cole, John Green, Alexander Ferguson, and John Morgan, honest and lawful men of the vicinage, who upon their oaths do say, that ten acres of land lying on the east side of the run of Saint Mary's river, being the place where formerly Thomas Waughop had built a water-mill, is part of a tract of land now in the possession of a certain Charles King, whose name and contents they know not, is to the damage of the said Charles King, the sum of twenty shillings current money of the province, and is of the yearly value of twelve pence, like current money; and the ten acres of land lying on the west side of the run aforesaid, is part of his Lordship's mill manor, and is to the damage of his Lordship, the Right Honourable the Lord Proprietary of this province, the sum of twenty shillings, current money of this province, and of the yearly value of twelve pence, like current money.

In witness whereof, as well the sheriff of the county of Saint Mary's aforesaid, as the jurors by whom this inquisition was taken, have hereunto affixed their seals, this thirtieth day of August, in the year of our Lord one thousand seven hundred twenty and three. (Signed)

RICHARD HOPEWELL, *Sheriff, &c. &c.*