

April 23^m 1676

Upon the humble petition of Robert Carville gent^e & Johanna his wife one of the daughters of Alexander Phynysa gent^e late of this Province & deceased in Holland this day exhibited here into this Court as well on the behalf of themselves as for & on the behalf of Alexander, Mary, Johannes, & Barbara Phynysa brothers & Sisters of the said Johanna & children of the said Alexander deceased. there by setting forth that the said Alexander Phynysa was in his life tyme seized of a parcel of land called Poplar Island or Thompsons Manne: situate in the County of Kent in the said Province of Maryland & being so seized made his last Will & Testament in writing & thereby devised the said land to be equally divided amongst his said five children & shortly after dyed in Holland as aforesaid By virtue of which Will the said Petitioners are become Entitled to a fifth part of the premises. but for want of the said Original Will or an Authentique copy thereof & sufficient authority from their said Brothers & Sisters Alexander, Mary & Barbara (Johannes living with the Petitioners both which they will endeavour to procure with what speed may be, they cannot make appear their legal interests in the said land and there being no person in this Province in Law as yett reparitaled to look after the same, the said Petitioners & their brothers & Sisters are & will be much dammified, for in the interim the land will be much wasted & Spoiled the timber runt down, the houses runt to ruine, the tenant in possession not compellable to pay his rent now & hereafter to be in Arreare nor can any improvment be made of the premises And therefore they prayed that this Court their brothers & Sisters to take the said land into his possession for the uses aforesaid & to sell & lett the same as he shall think fitt his such tyme as he can procure the said Will & authority from his brothers & Sisters as aforesaid This Court thereupon taking the premises into consideration, & considering also the great prejudice may be done to the said land by running of wastes & Spoiled & suffering the houses to fall to ruine & other damages doe think fitt & so order that the said Robert Carville be & is hereby authorized & empowered to take into his possession the said land & to receive the rent Arreare & to sell & lett the same for the uses aforesaid as he shall think convenient, to endeavour to recover all wastes & Spoiled in what nature soever his such tyme as he can gett the said Will & success power out of Holland as aforesaid

Maryland To the Hon^{ble} the Deputy Gov^r of the Province of Maryland
most humbly sheweth to yo^r Honors The humble petition of John Wood of Charles County

That M^r Robert Boyne hath much prejudiced yo^r poore & humble petitioners by a Survey he hath lately made into his land & taken away great part of his Orchard & pasture & tobacco house with a considerable quantity of rough land unclarred to the great damage & injury of yo^r poore & humble Petitioners the which said land Orchard & house hath bin in the possession of Cap^t Robert Troup & yo^r Petitioners this thirteene or fourteene yeares, & hath bin alwayes accounted by the Neighbourhood to be the land the said Troup in his life tyme held, but by some mistake of the aforesaid M^r Robert Boyne & Richard Edlen Surveyors hath taken the said land away by their Survey, & hath forwarred yo^r Petitioners from making use of the said Orchard housing ground or venturing to his great damage, for which reason yo^r Petitioners beggs yo^r Honors will be pleased to order a Survey to be Resurveyed the said land, & that there may be a Jury of the Neighbourhood Impanneled to be there, that yo^r Honors may be informed who the land taken away belougeth to, & that yo^r Petitioners may not be so wronged by the losse thereof unjustly And as in duty bound yo^r humble Petitioners shall ever pray for yo^r Honors

To the Hon^{ble} Philip Calvert Esq^r Chancellor & the rest of the Hon^{ble} Justices of the Provinciall Court

I desire that an order may be pass in the Provinciall Court for a writt to be directed to the Sheriff of Charles County for the impannealing an Inquest of the Neighbourhood to lay out a tract of land belonging to M^r Robert Boyne called Rotterdam in Charles County purchased by the said Boyne of the Hon^{ble} the Gov^r as also an order to Charles Boteler to attend the Inquest, & an order to the Serj to deliver a copy of the Certificate of the former Survey to the said Boteler for his regulation therein, requiring the said Sheriff to make a returne of the report of the Inquest upon the Resurvey to the next Provinciall Court.

Tho: Holloy - I consent to the petition Philip Calvert