

764. Quere whether the Law of the said Wm. the father (for the
 had son by a former wife) or the Law of the son (for the
 had brother by the same wife) shall intitle the said Land.

See the History of the said Land in the
 Appendix to the said Case in the
 2^d Part of the Reports of the
 Cases in the said Court of
 the said Year 1702.

It is most plain that the Intention of the plantation vested
 in W^m. Bourne the son by the will of the father as by purchase do-
 from him will descend to his next Brother of the whole and it is not
 material that he died in the life of his mother by taking by purchase
 and by descent therefore there is no plea for the brother of the half
 blood who is heir to the father to claim the plantation since who-
 ever is intitled must be seen as heir to W^m. the son which none but
 of the whole blood can be.

Edw. Northey
 March 9th - 170³/₃

March 4th - 170³/₄

Then came Charles Carroll Esquire the Secretary & President of
 the Maryland Council of Maryland & made oath upon the Holy
 Evangelist that he read from the hands of the above named Edw.
 Northey Esq. Attorney at Law the above opinion being the
 Attorney's opinion upon the Case above stated.

Thomas French

[Large decorative flourish]

Maryland 16: 8^{mo} 1702 West River Ex^{ca} for 3

Twenty days after sight of this my third Ex^{ca} my first & second of
 the same tenour & date not being paid pay or cause to be paid to Thomas
 Carpenter and the sum of three p^{rs} the Money of England please
 to make good pay & place the same to acct^o of the Ex^{ca}.

Gerard Hopkins

To Timothy Haysar
 Merchant in London

Maryland So. River an^o July 1702 Ex^{ca} 4 = 3 = 4

At twenty days after sight of this my third Ex^{ca} first & second not paid pay
 unto Sam^l Diggs the Carpenter brother of them or their Ex^{ca} the sum of
 four p^{rs} three sh^lls value red here & place to acct^o of the Ex^{ca}.

Gov^{rn}ment to the Ex^{ca}

To M^r James Colaholy
 Merchant in London

Rob^t Howard