

The Lord Brog
Ralph Elton
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Command was given to the Sheriff of Salbott County That Whereas Francis
Shubbe late of Salbott County gent deceased about two and twenty
years since had survey for him by Mr. William Courty then Deputy
Surveyor and Robert Clarke Esq a parcel of Land in Salbott County for
five hundred acres called Shubbe, and had a Patent granted him under
the great Seal of the Crown for the same, But in the Certificate of
Survey that is entered upon Record on wch the said Patent is grounded
(the Original Certificate and the said Survey had not being to be found)
there appeared to be some mistake in the mentioning the several
Courses of the said Land, so that the said Francis Shubbe deceased had
title or use of Land less of the said five hundred Acres according to
bounds of the said Patent, Of wch Ralph Elton of Salbott County
aforesaid taking advantage, and knowing the said mistake to be made
in the entering upon record the said Original Certificate, Did by virtue
of a common warrant, to him granted take up and had Survey for him
the said tract of Land called Shubbe or a greater part thereof and hath
surprisingly obtained the Lords patents and the great Seal of the
Crown for the same bearing date the seven and twentieth day of
June Anno Domini 1679 bearing it by the name of Byrdon, Contrary to all
right and common Warrant, or other warrant being able to affect the
same It having been Surveyed and patented in the name of the said Francis
Shubbe as aforesaid, To the great Damage of Francis Shubbe the
son and heir of the said Francis Shubbe deceased, and to the Lords and Council
that be in fee forte, And Whereas the Lords formerly granted unto the
said Francis Shubbe a Warrant of reference Directed to the said William
Courty commanding him to Lay out the said Land according to the former
Survey thereof by him made, and to make oath of fealty the Survey
that it should be according to the former Survey by him made and
aforesaid And wch is by the said William Courty done and performed
and by a Certificate and Affidavit thereof and the Seal of the said
William Courty duly sworn unto Dole and may appear It was
therefore commanded the said Sheriff that by good and law full means
of the Bailiwick he may knowe to the said Ralph Elton that he
should be and appear before the Justices of the High Court of
Chancery at the City of St Marys the six and twentieth day of
September Anno Domini 1682 to shew cause (if any he had) why the said
Patent by him surprisingly obtained as aforesaid should not be vacated
and void upon Record

And the said Ralph Elton prayeth the hearing of the writ aforesaid & it is
read unto him he also prayeth hearing of the returne thereof by the
Sheriff of Salbott County aforesaid And it is read unto him in the words
aforesaid, Executed this write the seventh day of August Anno 1682
Ralph Elton