

To incumber of premises since the patent affd. of J^r J^r Soller -
 being satisfied w^{ch} of Compt^r Little did enter into possession of
 the said land & premises & became seized thereof & he had the
 same & made improvd. thereon & quietly held of said
 for divers years w^{ch} out any ill lett or disturbance of y^e p^r or
 Lowry or any claiming by from or under them or either of them
 But so it happens that our Rich^d Smith of W^{ch} Lupat Gent^l.
 having lawly purchased of James Bowling & Mary his
 wife our Baker Brooks Gent^l a pece of Land called Brooks
 partition laid out for 1000 acres more or less being an Eldor
 Survey to Lowrys Chanc^e affd. & finding that y^e J^r Soller
 had builded & builded w^{ch} in the line of Brooks partition
 He y^e Richard Smith in the year 1688. did bring his accou^t of
 Ejectm^t. in y^e Prov^l. Court ag^t. y^e J^r Soller for the Recovery of
 so much Land as the J^r Soller had builded upon w^{ch} in y^e
 bounds of the said Brooks partition & for the ascertaining y^e true
 m^{ch} & bounds of Brooks partition & Lowrys Chanc^e & oth^r
 Land on w^{ch} y^e Lowrys Chanc^e did come upon y^e Court on the
 second day of Octob^r. 1688 affd. did ord^r. a Resurvey thereof attorning
 to y^e direction of a Jury of twelve men by y^e Sheriff to be impannelled
 for that purpose to find out the true ancient m^{ch} & bounds of y^e Royal
 Grants of Land by w^{ch}. Resurvey it appeared that Brooks partition
 laid out formerly for 1000 acres was then 1023 acres & y^e Land called
 St. James at whose bound end the said Lowrys Chanc^e was said to
 begin & formerly laid out for 500 acres but by y^e Survey came
 to 992 acres of w^{ch} there happened to be w^{ch} in the bounds of
 Brooks partition 679 acres more or less so that in that pece
 of Land the owner thereof by means of y^e Eldor Survey wanted
 of his original quantity 127 acres Lowrys Chanc^e w^{ch} first was
 laid out for 300 acres by that Resurvey was found to be 589 acres
 of w^{ch} 589 acres there was found to be 174 acres w^{ch} in y^e bounds of
 Brooks partition & 415 acres w^{ch} out the bounds thereof so y^e there was
 115 acres of Land more than was menciond in y^e Original grant or
 was conveyd to him by the Compt^r & the Compt^r further shewd
 that affd. y^e J^r Soller had builded by y^e Survey & a plat of the
 Land that Brooks partition lookt a way 174 acres whereon he had
 builded & builded & affd. being afraid y^e y^e J^r Soller disagree
 & Compt^r w^{ch} y^e J^r Smith before the return of the Resurvey affd.
 or the Court gave Judg^t. thereupon y^e y^e J^r Smith got Judg^t. by
 Compulsory means & should obtain possession for y^e 174 acres that y^e
 Smith would take of said Land absolutely away from y^e J^r Soller w^{ch} would
 be a great prejudice to the J^r Soller & would exact some extraordinary
 great sum from Soller as he contended to let the J^r Smith have Judg^t.
 by default & to have a writt of possession w^{ch} way don accordingly
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