

Brewerton the Def^t that he paid rent for more Land than he held and that the Comp^{it} Caldwell Would right him

John Handy Levin Gale

And Thereupon the Cause Stands further Continued untill the Next Court at wth S^d next Court To Witt the 7th Day of July Anno Dom 1724 Come again as well the S^d Comp^{it} by his Council as the Def^{ts} by their S^d Council and Consented to and prayed that a new Comⁿ issue to Kent County to Some persons to Examine more Evidences in relation to the Cause af^d.

Whereupon Comm^{rs} names were Struck by the Council of both parties in the usual manner and Commission issued Accordingly directed to the Severall persons therein named and Appointed in these words following Viz^t.

MARYLAND SS^t Charles Absolute Lord and Prpry of the provinces of Maryland and Avalon Lord Baron of Baltemore etc. To Co^t Edw^d Scott and Simon Wilmore of Kent County Greeting Know ye that we have appointed you to be our Comm^{rs} to Examine Evidences in a Certain Cause Depending in our High Court of Chancery between John Caldwell of Somersett County Comp^{it} and W^m Brewerton and Alexander Adams of the Same County Def^{ts} We Therefore require you that at Such Time and place as to you Shall Seem Convenient you Cause to Come before you all Such Evidences as Shall be to you named by either Comp^{it} or Def^{ts} and that you Examin them upon their Corporal Oaths to be by you Administred on the Holy Evangelists in the presence of the Comp^{it} and Def^{ts} (if they having Timely Notice thereof think fitt to be present) touching their Knowledge of any thing that may relate to the Cause af^d and that reduceing into Writing their Severall Depositions you Send the Same together with this our Commission under y^r hand and Seales wth all Convenient Speed to us in our High Court of Chancery Wittness our Trusty and well beloved Rich^d Tilghman Esq^r Chancellor and Keeper of the great Seal of Maryland this 22^d day of August in the 9th year of our Dominion etc. Annoque Dom 1724

D. Dulany Per Quer

W^m Cumming Per Def.

R^d Claggett Reg^r.

[771] On the Back of the foregoing Condition is thus Endorst Viz^t. Sir Feb^{ry} 12th 1724.

If Co^t Scott be not returned from Philadelphia before the Rev^d M^r Adams delivers you this Commⁿ I desire you to Call before you Examine Such Evidences your Self as he Shall nominate to you and make return thereof immediatly to

Y^{rs} Rich^d Tilghman

MARYLAND SS. In Obedience to a Commission out of our High Court Chancery to us directed bearing dat the Twenty Second day of August Last to Examine Evidences in a Cause depending in the S^d Court between John