

ISAACK ILIVE (c 1615 – 1699)

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Isaack Ilive was a vintner and a tobacconist of London, and a tobacco planter on the Isle of Kent, Maryland.

He was the father of Thomas Ilive (a printer of London), a grandfather of Isaac Ilive, Jacob Ilive and Abraham Ilive (also printers of London), and a great-grandfather of Elizabeth Ilive (later the Countess of Egremont) and Thomas Ilive (an apothecary and surgeon of London, Devonshire and South Australia, later known as Thomas Hamilton Ayliffe).

Isaack was a son of Thomas Ilive and Elizabeth Ilive (née Wolfe).¹ Thomas was a yeoman of Walton, Leicestershire.² The family had lived at Walton for many generations before Thomas.³

¹ 'Thomas Iliffe' and 'Elizabeth Woolfe' were married on 30 June 1606 in Kimcote, Leicestershire. In a will made on 13 September 1609, Elizabeth's father, Richard Wolfe of Walton, Leicestershire (in the parish of Kimcote), referred to his wife, Elizabeth, and his nine children. Those children included Isaac, after whom Isaack Ilive may have been named and who, like Isaack Ilive, became a vintner of London. Of his daughter, Elizabeth, Richard said: 'Allso I give to my daughter Elizabeth Iliffe the sum of five shillings sterlinge, & the second hive of bees, in lue of her childes part.' That child was Elizabeth, of whom he said: 'Allso I give to Elizabeth the daughter of Thomas Iliffe Two theaves.' A theave is a young ewe. Richard willed that his land be left to his son, William, following the death of his wife. He made his son-in-law 'Thomas Iliffe' one of three overseers of the will, whom he described as 'my lovinge frendes & neighbours'. Thomas was also a witness to the will, and signed his name 'Thomas Ilive'; the same signature appears at the bottom of the page of the baptism, marriage and burial records of the parish of Kimcote for 1604. Richard Wolfe was buried on 20 September 1609 in Kimcote.

² A bill of complaint filed by Thomas and dated May 1606 refers to him as 'Thomas Ilyffe of Walton ... yeoman' (National Archives, C 2/JasI/IandJ8/16). According to a record of the binding of Isaack to John Widdews as a vintner's apprentice on 10 April 1632, Isaack was a son of Thomas, a deceased husbandman of Walton (London Metropolitan Archives, CLC/L/VA/C/017/MS15220/001). According to a record of the binding of 'Humphridus Ilive' to George Millington as a haberdasher's apprentice in London on 20 May 1642, Humfrey was a son of Thomas, a yeoman of Walton (London Metropolitan Archives, CLC/L/HA/C/011/MS15860/005).

³ In 1431, John Iliff of Walton was a witness to two grants of land: G. F. Farnham, *Leicestershire Medieval Village Notes* (1929) vol III, p 100; A. Hamilton Thompson, *A Calendar of Charters and Other Documents Belonging to the Hospital of William Wyggeston at Leicester* (1933) pp 288–9. Richard Ilyff of Walton was a collector of a tax in Leicestershire in 1445: *Calendar of the Fine Rolls Preserved in the Public Record Office* (1937) vol XVII, p 329. In 1524, the lay subsidy rolls for Kimcote and Walton recorded that 'John Ilyffe' had land worth £3 and that 'Robert Ilyffe' had goods worth £10: G. F. Farnham, *Leicestershire Medieval Village Notes* (1929) vol III, p 102. In a will made on 21 January 1550 (recorded as 1549, according to the Old Style calendar), 'Robert Ilyf of Walton ... husband man' willed that his body 'be buried in the church yard of alhalowes of Kymcot [Kimcote]'. He also willed 'my wife to have the rent of my land liyng [sic] in thurleffon [Thurlaston] to be payd in to her handes as longe as she liveth', and 'Thomas Ilif my sonne to have a pece of ground [that which] I purchased liyng [sic] in thurleffon [Thurlaston]'. It appears that Robert was a great-great-grandfather of Isaack. In a will made on 3 January 1565 (recorded as 1564, according to the Old Style calendar) (of which there is a contemporary copy), 'Thomas Ilieffe of Walton' willed that his body 'be buried in the churchyard of Kymcotte [Kimcote]'. He referred to his wife 'Magarete', three sons and a daughter. To his eldest son, Thomas, he bequeathed money 'and one cove'. It appears that 'Thomas Ilieffe' and 'Magarete' were great-grandparents of Isaack. In 1571, the lay subsidy rolls for Kimcote and Walton recorded that 'Margaret Ilyffe' had income from land of 20 shillings: G. F. Farnham, *Leicestershire Medieval Village Notes* (1929) vol III, p 102. In a will made on 14 May 1574, 'Margaret Ilyefe of Waltn [Walton]' willed that her body 'be buryed in ye churchyard of Kymcott [Kimcote]'. She made her son 'Thomas Ilyefe' the sole executor of her will. She made 'Harrey West of thurleffon [Thurlaston] in the coutye of Warwyck' one of the overseers of the will. The earliest known use of the spelling 'Ilive' to refer to a member of the family at Walton is contained in an inventory of the deceased estate of 'Henrye West' of Thurlaston, Warwickshire dated 10 April 1579. The inventory refers to a lease 'taken of one Ilive'. On 25 October 1597, an inventory was taken of the goods and chattels of the deceased estate of 'Thomas Ileve of Walton yomen', including one horse, two geldings, four mares, two foals, nine kye (cows), five heifers, two steers, 58 sheep and seven hogs. This was Isaack's grandfather. A bill of complaint filed by 'Thomas Ilyffe' (Isaack's father)

Isaack was born in about 1615.⁴ He had at least four siblings: Elizabeth,⁵ Thomas,⁶ Abigaile⁷ and Humfrey.⁸

and dated May 1606 stated that Thomas's father, 'Thomas Ilyffe' of Walton, yeoman, was seized of land at Walton and Thurlaston 'about Nyen or Ten Yeares fythence [since]' and died at about that time (National Archives, C 2/JasI/IandJ8/16). A bill of complaint filed by Thomas Ilive of Walton (Isaack's brother) and dated 9 May 1648 stated that his grandfather, 'Thomas Ilive' of Walton, yeoman, died intestate after being seized of land in Thurlaston for about 30 years (National Archives, C 7/192/90).

⁴ Isaack is referred to in the will of his father's cousin, 'William Iliffe alias Ileve of Walton ... labourer', which was made on 1 May 1619 (one of the overseers of the will, William Wolfe of Walton, was Isaack's uncle). It appears that the reference in the will to Isaack and his siblings ('Elizabeth Thomas Isake Abigaile') is in age order, including because Elizabeth is referred to first (as noted above, she was the only child of Thomas and Elizabeth referred to in the will of her grandfather, Richard Wolfe, made on 13 September 1609). Isaack was bound as an apprentice on 10 April 1632. A record dated 20 November 1647 states that he was aged 'aged 28 yeares or thereabouts' (Archives of Maryland, Volume 4, *Judicial and Testamentary Business of the Provincial Court 1637–1650* (1887) p 460). If he was 28 years old at that time, then he was born between 21 November 1618 and 20 November 1619 (as noted above, he was referred to in a will made on 1 May 1619 and so was born before then). A record from March 1653 (recorded as 1652, according to the Old Style calendar) states that Isaack was 'aged about 37 yeares or thereabouts' (Maryland State Archives, Land Office (Patent Record), Transcript 1, p 409 (Liber B, Folio 116) (SM2-2; SR 7341)). If he was 37 years old at that time, then he was born between March 1615 and March 1616. A record dated 1 January 1656 (recorded as 1655, according to the Old Style calendar) states that Isaack was 'aged 40 yeares or thereabouts' (Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 41 (Liber A, Folio 109)). If he was 40 years old at that time, then he was born between 2 January 1615 and 1 January 1616. It therefore seems most likely that Isaack was born in 1615, and that the record of 20 November 1647 incorrectly recorded his age.

⁵ As noted above, Elizabeth is referred to in the will of her grandfather, Richard Wolfe, made on 13 September 1609. She is also referred to in the will of her father's cousin, 'William Iliffe alias Ileve' of Walton, made on 1 May 1619.

⁶ In a bill of complaint dated 9 May 1648, Thomas stated that at the time of his father's death (which appears to have been in about 1626 or 1627) he was 'an Infant under the age of fiftene yeares' (National Archives, C 7/192/90). Thomas is referred to in the will of his father's cousin, 'William Iliffe alias Ileve' of Walton, made on 1 May 1619. George C. Williamson, *Trade Tokens Issued in the Seventeenth Century* (1889) vol I, p 489 states: 'In the books is enrolled the apprenticeship of Thomas Iliffe, to Rich. Wolphe, grocer, of Stamford, for 7 years, from the feast of St. Michael, 1627.' This appears to be reference to Thomas, noting that his brother, Humfrey, was a grocer in Stamford, and noting also that his maternal grandfather was named Richard Wolfe and had a son named Richard. It therefore appears that Richard Wolphe was Thomas's uncle. Richard Wolphe was alderman of Stamford in 1630 and 1638: Richard Butcher, *The Survey and Antiquitie of the Towne of Stamford in the County of Lincolne* (1646) p 43. See also p 14 where he is referred to as 'Richard Wolphe Gent. Alderman'. Thomas is referred to in the will of his uncle William Wolfe dated 18 June 1647 as 'my loving nephew Thomas Ilive'. Thomas's signature is subscribed to the will, and also appears at the bottom of the page of the baptism, marriage and burial records of the parish of Kimcote for 1636. Thomas's name is also subscribed to an inventory of the estate of William Wolfe taken on 27 May 1647. Children of Thomas Ilive, a mercer, and Sence Ilive were baptised in Kimcote in 1637 (Richard) and 1639 (Mary). It appears that were seven consecutive generations of men named Thomas in the family at Walton, from 'Thomas Ilieffe of Walton', who made a will on 3 January 1565, to 'Thomas Ilive the younger of [Walton]', who made a will on 1 September 1690 and was likely a grandson of Isaack Ilive's brother Thomas.

⁷ Abigaile is referred to in the will of her father's cousin, 'William Iliffe alias Ileve' of Walton, made on 1 May 1619. A woman named 'Abigaill Ilive' married John Shepard in Stamford, Lincolnshire on 11 February 1658 (recorded as 1657, according to the Old Style calendar). Abigaile's brother Humfrey lived in Stamford, and it appears that her brother Thomas was also apprenticed there. An 'Abigaile Ilive' was buried on 11 February 1670 in Market Harborough, Leicestershire (about 14 kilometres from Walton).

⁸ 'Hu[m]freye', a son of Thomas Ilive, was baptised in Kimcote, Leicestershire on 23 April 1622. 'Humphridus Ilive' was bound as an apprentice to George Millington, a haberdasher of London, on 20 May 1642 (London Metropolitan Archives, CLC/L/HA/C/011/MS15860/005). According to the apprenticeship record, Humfrey's father, Thomas, was a yeoman of Walton. George C. Williamson, *Trade Tokens Issued in the Seventeenth Century* (1889) vol I, p 488 states: 'According to the corporate records I find Humfrey Iliffe, grocer, was admitted to his freedom October 25, 1651; ... gained a footing in the council as a capital burgess August 28, 1662 ... Humfrey continued to hold his seat [as a common burgess] some years [until 21 March 1681], ... [was] appointed Ballivus Libertatis, or Bailiff of the

Isaack's father, Thomas, died in about 1626 or 1627,⁹ when Isaack was about 11 or 12 years old. Isaack's brother, Thomas, later stated in a bill of complaint that his father had left 'a very small personal estate behind him', and that he, as his father's 'next heire', inherited 'a small farme in Walton'. Thomas also stated that his father had left him 'without any guardian (or freind trusted) to governe or oversee ether [him] or the small estate hee left him'.¹⁰ Isaack and Thomas's mother, Elizabeth, survived their father.¹¹ As noted above, it appears that Isaack's brother, Thomas, was bound as a grocer's apprentice to his uncle Richard Wolphe in Stamford, Lincolnshire in 1627.¹²

In 1606, Isaack's father, Thomas, a yeoman of Walton, stated in a bill of complaint that his own father, also named Thomas and also a yeoman of Walton, had been seized of a messuage and three yard land 'situate and beinge within the Towne and feildes of Walton', a 'messuage or Cottage' in Walton 'latlie beinge in the occupacon of one Alice Focell widdowe',¹³ and a messuage and one yard land in 'Thurlaston in the Countie of Warw ...'. Thomas further stated in the bill that he had been about 17 years of age at the time of his father's death nine or ten years

Liberty, an office he filled also in 1682-3-4 ...' Katherine Ilive, wife of Humfrey, was buried in Stamford on 26 October 1656. Humfrey married Susanna Goodman in Stamford on 7 April 1657. Williamson refers to trade tokens issued by Humfrey. One of them is held by the British Museum (T.2101). It is inscribed with 'HVMFREY . ILIVE' and 'H I S' (presumably an acronym of 'Humfrey Ilive Stamford') on the obverse and 'IN . STAMFORD . 1659' and the coat of arms of the Worshipful Company of Grocers on the reverse. Humfrey was buried in Stamford on 13 March 1685. An inventory of the goods of 'Humphrey Ilive' dated 9 April 1685 (National Archives, PROB 4/2724) refers to him as having been a victualler of Stamford. Another record dated April 1685 refers to him as 'Humfred[us] sen nuper de Stamford in Com Lincoln defunct[us]' (Humfrey Ilive senior, late of Stamford in the County of Lincoln, deceased) (National Archives, PROB 6/61/60).

⁹ In his bill of complaint dated 9 May 1648, Thomas Ilive (Isaack's brother), a yeoman of Walton, stated that his father, Thomas Ilive, died intestate about seven years after entering into an indenture of lease dated 12 November in the 16th year of the reign of King James I (*ie* 1618). He also referred to 'the Span of one and twentie years or thereabouts since [his] Said fathers death' (National Archives, C 7/192/90).

¹⁰ National Archives, C 7/192/90.

¹¹ In a will made on 29 April 1646, William Wolfe of Walton referred to Elizabeth as 'my loving lister Elizabeth Ilive widd [widow]'. He made Elizabeth the executrix of the will. An answer of Henry and Margery Vivers dated 7 June 1648 (answering a bill of complaint of Isaack's brother Thomas dated 9 May 1648) stated that Elizabeth was 'late the wife and executrix of the laid Thomas Iliffe the Complts father' (National Archives, C 7/192/90). However, in his bill of complaint dated 9 May 1648, Thomas stated that his father died intestate (National Archives, C 7/192/90), and there is no known will of his father. Thomas sought relief in the Court of Chancery against his aunt, Frances Charsley, and against Henry and Margaret (or Margery) Vivers, in respect of a messuage and a half yard land in Thurlaston, Warwickshire. Upon the death of his grandfather, his father had inherited the messuage and land. Thomas stated that his father had then agreed to pay to his (*ie* the father's) sister Frances £50 for her marriage portion and maintenance, and had also agreed to mortgage and lease the land to Frances to secure the payment. Thomas further stated that after his father's death his aunt Frances went to live in London as a servant and shortly afterwards married (William) Charsley, a barber surgeon. Frances and William then sold the mortgage and lease to Arthur Gibson. Upon Gibson's death, his widow Margaret (or Margery) inherited the land and then married Henry Vivers. Among other relief, Thomas sought an order requiring Henry and Margery Vivers to deliver up the indenture of mortgage. A marriage licence had been granted to William Charsley, of the parish of St Botolph without Aldersgate, and Frances Ilive, of Isleworth, Middlesex on 6 December 1622: George J. Armytage (ed), *Allegations for Marriage Licences Issued by the Bishop of London, 1611 to 1828* (1887), p 118.

¹² See George C Williamson, *Trade Tokens Issued in the Seventeenth Century* (1889) vol I, p 489. Richard Wolphe's wife, Elizabeth, had been buried in Stamford, Lincolnshire on 5 December 1626: Justin Simpson, 'Extracts from the Parish Registers of St. Michael's, Stamford' (1875) *The Reliquary, Quarterly Archaeological Journal and Review*, vol XV, p 92. 'Richard Wolph of Stamford in the County of Lincolne Grocer' made a will on 24 December 1655. The will was proved on 19 November 1658.

¹³ 'Alice Fosill', a widow, was buried in Kimcote, Leicestershire on 3 November 1613.

earlier.¹⁴ As referred to above, ‘Robert Ilyf’ of Walton made a will on 21 January 1550 (recorded as 1549, according to the Old Style calendar) in which he willed that his son Thomas ‘have a pece of ground [that which] I purchased liyng [sic] in thurlesson [Thurlaston]’. It appears that Robert was the grandfather of Isaack’s grandfather.

Isaack was bound as a vintner’s apprentice to John Widdews for a term of eight years on 10 April 1632,¹⁵ when he was about 16 years old. In 1641, Widdews was the proprietor of the Bull Head tavern in East Smithfield,¹⁶ to the east of London. Isaack’s uncle, Isaac Woolfe, had been bound as a vintner’s apprentice in London in 1615,¹⁷ and was a vintner in London until his death in 1636.¹⁸

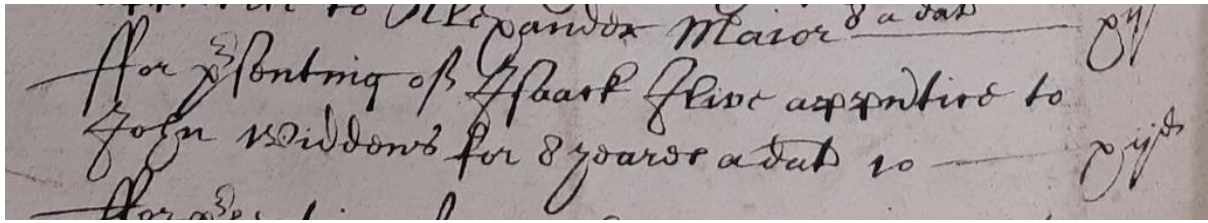
¹⁴ National Archives, C 2/JasI/IandJ8/16. Thomas stated that, upon the death of his father, the messuages, lands and tenements in Walton and Thurlaston had descended upon him as of right, but that his mother, Elizabeth, had entered upon the land and had taken the profits of the land as his guardian. He stated that his mother married Hughe Scott, a husbandman of Walton, about a year after his father’s death. Scott and Elizabeth then continued to have possession of the land and to take the profits of the land on the basis that they were Thomas’s guardians during his minority. Thomas stated that his mother was now dead, and claimed money that he said was due to him from Scott. On 6 January 1607 (recorded as 1606, according to the Old Style calendar), an inventory was taken of ‘all the goods and chattels of Thomas Iliffe and Elizabeth his wife late deceafed’. This was despite the fact that an inventory had been taken of the goods and chattels of the deceased estate of ‘Thomas Ileve of Walton yomen’ in 1597, as referred to above. Isaack’s brother Thomas was appointed the administrator of the deceased estates of ‘Thome Iliffe et Elizabeth Iliffe ... de Wallton’ on 29 January 1607. There is no reference to Hughe Scott in the record.

¹⁵ London Metropolitan Archives, CLC/L/VA/006/MS15211/002; London Metropolitan Archives, CLC/L/VA/C/017/MS15220/001.

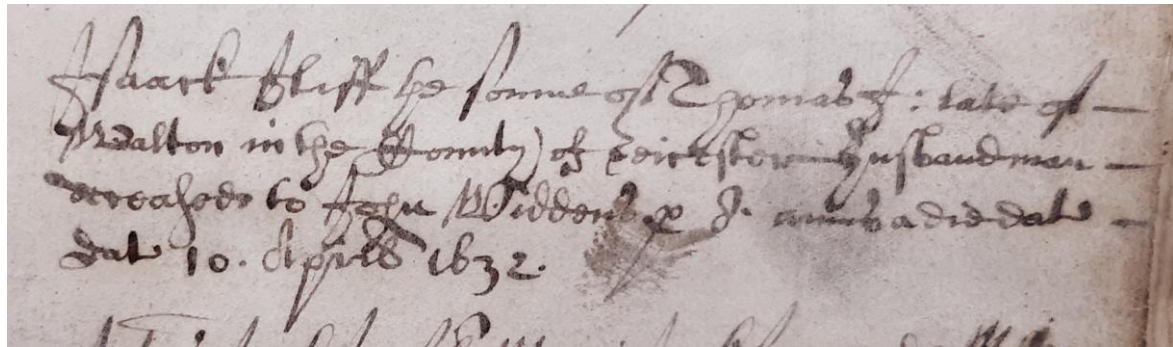
¹⁶ The Rev T C Dale, *Poll Tax Returns made by the Vintner’s Company in 1641* (1933) p 9: ‘John Widdews at the Bull head in East Smithfield’. John Yonge Akerman, *Tradesmen’s Tokens, Current in London and Its Vicinity between the Years 1648 and 1672* (1849) p 75 refers to a token with the words ‘THE BVLLS HEAD TAVERN’ and ‘[a] bull’s head couped’ on the obverse, and the words ‘IN ESTSMITH FEILD’ and the acronym ‘I. A. W.’ on the reverse. The acronym may be a reference to Widdews. See also, Jacob Henry Burn, *A Descriptive Catalogue of the London Traders, Tavern, and Coffee-House Tokens Current in the Seventeenth Century* (1853) p 66.

¹⁷ Isaac Woolfe was bound as a vintner’s apprentice to Thomas Wadlow in London on 2 August 1615. A record of the apprenticeship states that Isaac was a son of Richard, a yeoman of Walton, Leicestershire. See Cliff Webb, *London Livery Company Apprenticeship Registers* (2004) vol 43 (Vintners’ Company) p 329.

¹⁸ Isaac Woolfe took vintner’s apprentices in London on 4 February 1624 (recorded as 1623, according to the Old Style calendar) (Ambrose Kinge), 9 February 1625 (recorded as 1624, according to the Old Style calendar) (William Armestede), 1 February 1626 (recorded as 1625, according to the Old Style calendar) (Benjamin Wolph), 3 July 1626 (James Selliocke), 1 July 1629 (John Norman), and 4 February 1634 (recorded as 1633, according to the Old Style calendar) (William Twaiths). See Cliff Webb, *London Livery Company Apprenticeship Registers* (2004) vol 43 (Vintners’ Company) pp 7, 173, 215, 262, 301, 327. It appears that ‘Benjamin Wolph’ was Isaac Woolfe’s brother. ‘Beniamin, the fon of Richard Woolfe’ was baptised on 22 December 1606 in Kimcote, Leicestershire, and the will of Richard Wolfe, made on 13 February 1609, referred to his son Benjamin. Isaac Woolfe was recorded as being a vintner of the parish of St Martin Vintry in London when he married Sarah Fayerbrother in December 1624. He was buried on 13 July 1636 at St Botolph without Aldgate in London. The burial record states that he was a vintner of Minories in London. Administration of Isaac Wolfe’s estate was granted to his widow, Sarah, in 1636 (London Metropolitan Archives, DL/AL/C/001/MS09050/006).



Vintners' Company Register of Freedom Admissions and Apprentice Bindings, 10 April 1632 (London Metropolitan Archives, CLC/L/VA/006/MS15211/002): 'for presenting of Isaac Iive apprentice to John Widdews for 8 yeares a dat 10 xij s'.



Vintners' Company Register of Apprentice Bindings, 10 April 1632 (London Metropolitan Archives, CLC/L/VA/C/017/MS15220/001): 'Isaack Iiff ye sonne of Thomas I : late of Walton in the County of Leicestershire husbandman deceased to John Widdews p 8 annos a die dat dat 10. April 1632.'

Isaack was freed by the Vintners' Company on 3 September 1639.¹⁹ He took a vintner's apprentice, John Johnson, on 1 June 1640.²⁰ His only other apprentice was Humfrey Iive, a son of his brother Humfrey, who was bound to him as a vintner's apprentice for a term of seven years on 7 February 1671.²¹

In 1644, Isaac paid for his own passage to Maryland. It was recorded in February 1650 (recorded as 1649, according to the Old Style Calendar) that 'M' Isaac Iive demandeth 100 Acres of land for his owne transport in Anno 1644'.²² It is apparent that this was the man named

¹⁹ London Metropolitan Archives, CLC/L/VA/006/MS15211/002.

²⁰ London Metropolitan Archives, CLC/L/VA/006/MS15211/002; London Metropolitan Archives, CLC/L/VA/C/017/MS15220/001.

²¹ London Metropolitan Archives, CLC/L/VA/B/001/MS15201/005; London Metropolitan Archives, CLC/L/VA/C/017/MS15220/001.

²² 'Land Notes, 1634–1655' in *Maryland Historical Magazine* (1913) vol VIII, p 51, at p 61. See also Maryland State Archives, Land Office (Patent Record), Transcript of A, F, and H, pp 35–6 (SM2-5; SR 7344); Maryland State Archives, Land Office (Patent Record), Transcript 2, p 581 (Liber A, Folio 316) (SM2-3; SR 7342). The original Patent Books from before 1658 no longer survive. The Transcript of A, F and H was made in about 1717, and Transcript 2 was made in about 1725. It appears that the 1913 record was taken from the original Patent Book, as it differs in minor respects from the 1717 and 1725 transcripts (for example, the 1913 record refers to 'Isaack', whereas the 1717 and 1725 transcripts refer to 'Isaas' and 'Isaac'). See also Carson Gibb, 'Introduction to *New Early Settlers of Maryland*' (<https://msa.maryland.gov/msa/speccol/sc4300/sc4341/html/intro.html>): 'During the first years of his Province of Maryland, 1633-1681, Lord Baltimore rewarded people who transported themselves or others with rights to land, usually called headrights. For most of the period, the reward was a right to 50 acres of land per person transported. To enter and exercise his rights, a person had to give the names of those, including himself, whom he had transported.' In 'Using *The New Early Settlers of Maryland*' (https://msa.maryland.gov/msa/speccol/sc4300/sc4341/html/patentlist_rev.html), Gibb states that in the records 'transport' meant 'paid for the transportation of', and that '[m]ost settlers were transported by somebody else' whereas '[a] few transported themselves'.

Isaack Ilive who was bound as a vintner's apprentice in London in 1632 and who took vintner's apprentices in London in 1640 and 1671.²³

Isaack settled on the Isle of Kent (now Kent Island) in Maryland. In November 1647, he made a deposition in relation to the killing of two sows on the Isle of Kent earlier that year.²⁴ The record of the deposition states that Isaack was 'aged 28 yeares or thereabouts'.²⁵

In February 1650 (recorded as 1649, according to the Old Style Calendar), on the same day that Isaack demanded 100 acres of land, Zacharias (or Zachary) Wade demanded 100 acres of land upon assignment from 'Mrs [Margaret] Brent'.²⁶ A warrant was then issued to the surveyor to lay out 200 acres of land for Isaack and Wade 'at the Isle of Kent vppon the Plantacon where Jo : Gresham lived'.²⁷ As referred to below, that plantation was called Beaver Neck.

In August 1650, a 200 acre parcel of land on the Isle of Kent called Beaver Neck was laid out for 'Isaac Ilive and Zachary Wade of the Isle of Kent Planters'. It was recorded at that time that Beaver Neck had been owned by John Gresham, also a planter, and that it was to the north of a creek called Beaver Neck Creek. It appears that Beaver Neck Creek was the creek now called Price Creek.²⁸ The land was described as 'bounding on the West with the Bay of Chesapeak beginning at a Marked Pine by the Bay side on the South and East with a Creek called Beaver Creak on the North with a line drawn from a Marked Oak standing upon the Said Creek West North West through the Woods unto the Said Pine Containing and now laid out for Two hundred Acres more or lefs'.²⁹

²³ The clearest evidence that Isaack Ilive, vintner of London, and Isaack Ilive, planter of Maryland, were the same person is a document signed in 1677 by Mark Benton, a planter of Kent County, Maryland, which refers to money owing in Maryland to 'Isaac Ilive of London Vintener': Archives of Maryland, Volume 557, *Kent County Court, Proceedings, 1676-1698* (2003) pp 14–15. In the document, Benton stated that he appointed John Meggison, a planter of the Isle of Kent, as his attorney to the use of Isaack to recover money owing to Isaack in Maryland. Benton was on the Isle of Kent with Isaack in 1652 when both men signed a document promising 'to be true and faithful to the Commonwealth of England, without King or House of Lords': George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) pp 59–60. At p 60, Hanson states that '[t]his list of sixty-six names undoubtedly includes all the adult white male colonists living in Kent county in 1652–53, or nearly all'. As referred to above and below, Isaack took a vintner's apprentice in London on 7 February 1671, and had four daughters baptised in London between 1668 and 1677. A record of the binding of Thomas Ilive as a stationer's apprentice on 3 June 1678 states that he was a son of Isaack Ilive, a tobacconist of London.

²⁴ Archives of Maryland, Volume 4, *Judicial and Testamentary Business of the Provincial Court 1637–1650* (1887) pp 460–1.

²⁵ As referred to above, it is likely that that document incorrectly recorded Isaack's age. It is likely that Isaack was born in 1615, meaning that he was in fact 31 or 32 years old at the time of the record.

²⁶ In January 1649 (recorded as 1648, according to the Old Style Calendar), Margaret Brent had appointed Wade as her attorney to recover debts owing to her: George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) p 17. In June 1649, Margaret Brent had sold a cow to Wade and Edd Claxston: George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) p 19.

²⁷ 'Land Notes, 1634–1655' in *Maryland Historical Magazine* (1913) vol VIII, p 51, at 61. See also Maryland State Archives, Land Office (Patent Record), Transcript of A, F, and H, pp 35–6 (SM2-5; SR 7344); Maryland State Archives, Land Office (Patent Record), Transcript 2, p 581 (Liber A, Folio 316) (SM2-3; SR 7342).

²⁸ See Alexandra Silver Cawley, *Household and Community: Kent County, Maryland, 1631-1676* (PhD thesis, American University, March 2004) pp 57–8, which contains maps indicating the location of land patents on the Isle of Kent in 1640 and 1650. The maps also indicate the location of Beaver Creek.

²⁹ Maryland State Archives, Land Office (Patent Record) 1646-1657 AB&H, transcript of A, F, and H SR 7344, p 109.

Thomas Bradnox later recorded that Isaack had ‘Built A pretty House upon th^e fore sd plantacon Comonly Called Beuer necke’.³⁰

Beaver Neck had been owned in the 1630s by Thomas Smyth, who was hanged when the forces of Leonard Calvert took control of the Isle of Kent from William Claiborne in 1638. Beaver Neck was thereupon forfeited to the Lord Proprietor of Maryland, but a few days later was ordered to be delivered into the possession of Smyth’s widow.³¹ The land was subsequently owned by John Gresham, who was recorded as having ‘likewise forfeited it for his Rebellion’.³²

In November 1650, Isaack and John Grimsditch purchased a plantation and land on the Isle of Kent from William Evans and John Jarbo ‘in Consideration of a sertayne valuable quantity of tobacco in Caske’. In April 1651, Isaack and Grimsditch were referred to as planters of the Isle of Kent when they sold the plantation and land, which was stated to be 400 acres, to a merchant named Thomas Marsh (recorded as ‘March’).³³

In April 1652, Isaack was one of 66 men on the Isle of Kent whose names were subscribed to a document promising ‘to be true and faithful to the Commonwealth of England, without King or House of Lords’. Isaack signed the document. Hanson states that ‘[t]his list of sixty-six names undoubtedly includes all the adult white male colonists living in Kent county in 1652–53, or nearly all ; and we may therefore infer that the white population, upon the Island, then numbered about 330 souls’.³⁴

In May 1652, Isaack was a witness to a document in which John Deare assigned to ‘Francis Hunt’ all of his right and title to a land patent.³⁵

In October 1652, Isaack was assigned 100 acres of land by Thomas Marsh.³⁶ In November 1652, Isaack demanded the land that had been assigned to him, and a warrant was issued ‘to lay out for Isaac Ilive One hundred Acres of Land upon Pinie Neck or elsewhere within this Province not formerly taken up’.³⁷

³⁰ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 133 (Liber B, Folios 37). See also Archives of Maryland, Volume 41, *Proceedings of the Provincial Court of Maryland (3) 1658–1662* (1922) p 108.

³¹ Archives of Maryland, Volume 57, *Proceedings of the Provincial Court of Maryland 1666-1670* (1940) p 249.

³² Archives of Maryland, Volume 57, *Proceedings of the Provincial Court of Maryland 1666-1670* (1940) p 249. An introduction to that volume of the Archives of Maryland states (at p xlv): ‘The date of this second forfeiture is not disclosed by the record, but it very possibly may have occurred at the time of the Ingle rebellion, 1645-1646, as it was afterwards patented by special grant in January, 1651, to Francis Brooke.’ Alexandra Silver Cawley, *Household and Community: Kent County, Maryland, 1631-1676* (PhD thesis, American University, March 2004) p 78 states that Gresham ‘was accused of treason during Ingle’s Rebellion’.

³³ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674) and Somerset (1665-1668) Counties* (1937) p 200 (Liber B, Folio 85). Bernard Steiner, ‘Kent County and Kent Island, 1656–1662’ in *Maryland Historical Magazine* (1913) vol VIII, 1, 17 incorrectly states that Isaack and Grimsditch purchased the land in 1660.

³⁴ George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) pp 59–60.

³⁵ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 83 (Liber B, Folio 5).

³⁶ Maryland State Archives, Land Office (Patent Record), Transcript of A, F, and H, pp 231–2 (SM2-5; SR 7344).

³⁷ Maryland State Archives, Land Office (Patent Record), Transcript of A, F, and H, p 232 (SM2-5; SR 7344).

In December 1652, about 100 acres of further land was laid out for Isaack. The land, called Claypit Neck, was described as ‘a parcell of Land lying on the East Side of the pine Tree standing near the head of a Swamp called [Ilive’s] Swamp’. It was further described as ‘on the East side [of] the Isle of Kent near Cox’s Creek’³⁸ and ‘On the North with the said Branch [‘Clay-pitt Branch’], On the East and South with the said Creek’.³⁹

In February 1653 (recorded as 1652, according to the Old Style Calendar), it was recorded that Isaack had confirmed the testimony of Francis Lumbard, at a court in Kent County, that in about May 1652 he (Lumbard) had ‘heard Capt. Jacobs ... say, “that he was to give Mr. Thos. Marsh 4 lbs. a ton for freight in his vessel to New England[?]”’.⁴⁰

In March 1653 (recorded as 1652, according to the Old Style Calendar), Isaack swore a deposition in which he stated that he was ‘aged 37 yeares or thereabouts’. In the deposition, he recounted words spoken by Thomas Ward about the wife of Henry Clay.⁴¹ Captain Robert Vaughan deposed at the same time that he ‘did heare Isaack Ilive and Thomas Ward fall out and urging words past on both Sides’, and corroborated Isaack’s evidence about the words spoken by Ward.⁴² Henry Clay brought an action for slander against Ward, and a court in Kent County gave judgment for Clay. Clay then brought the matter to the Provincial Court of Maryland after one of the Commissioners of the court at Kent, Thomas Ringgold, deposed that Ward had uttered further slanderous words about Clay’s wife after the delivery of the judgment. The Provincial Court ordered Ward to ask for the forgiveness of Clay’s wife in open court at Kent. It also ordered that Ward pay ‘one thousand pounds of Tobacco and Caske’ and that, in default of payment, he be whipped with 31 stripes.⁴³

In May 1653, Isaack witnessed a document in which Thomas Broadnox, a planter of the Isle of Kent, acknowledged having sold a parcel of land to Henry Clay, also a planter of the Isle of Kent.⁴⁴

In October 1654, the Provincial Court of Maryland recorded that Isaack had been ‘possefised of two hundred Acres of Land called beaver Neck’ and had been ‘disturbed by meanes of Francis Brooke pretending a Grant from the Lord Baltmore and power from the Governour which doth not appeare to this Court’. The Court ordered that a Commander of the Isle of Kent cause

³⁸ Maryland State Archives, Land Office (Rent Rolls) 1640-1772, 12 QA, i of tracts (SR 4381-2).

³⁹ Maryland State Archives, Land Office (Patent Record), Transcript of A, F, and H, p 295 (SM2-5; SR 7344).

⁴⁰ George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) p 25.

⁴¹ Maryland State Archives, Land Office (Patent Record), Transcript 1, p 409 (Liber B, Folio 116) (SM2-2; SR 7341).

⁴² Maryland State Archives, Land Office (Patent Record), Transcript 1, p 409 (Liber B, Folio 116) (SM2-2; SR 7341).

⁴³ Maryland State Archives, Land Office (Patent Record), Transcript 1, p 410 (Liber B, Folio 116) (SM2-2; SR 7341).

⁴⁴ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 54 (Liber A, Folio 117). Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 1 states: ‘Liber A of the Kent County court proceedings is now in an incomplete form. Originally the liber possessed 126 folios (leaves) ... Folios 1 to 95 of the record are now missing. ... Fortunately, excerpts from these lost record pages can be supplied from two sources and these sources have been drawn upon. Clerk James Smith in 1727 caused the various land papers scattered through the earlier county court records to be copied into a new record book, the present Liber A of Kent land records. ... A second source is the book “Old Kent,” written by George A. Hanson. In 1875, when the old court book was still complete, this writer drew from it many excerpts, either in quoted or descriptive form, and some of these came from the now lost portion. ... Folios 96 to 126 are reprinted from the original text.’ It is apparent that the records in Liber A contain reproductions of Isaack’s signature, rather than his original signature.

the sheriff to give Isaack quiet possession of the land, and that those who had dispossessed Isaack pay the cost of the suit.⁴⁵

In April 1655, Isaack brought a complaint against John Salter claiming that Salter ‘hath molested him upon his plantation’ by presenting him with a bill of sale under the hand of Francis Brookes and taking possession of the land. Salter acknowledged in court that he had thereby taken possession of the plantation ‘& made usse of some part of th^e fruit’. A court at Kent County noted the order of the Provincial Court dated October 1654 which required those who had dispossessed Isaack of his plantation to pay the charges of the suit. The court found that ‘th^e sd dispossessor’ was Salter, and ordered him to pay to Isaack 747 pounds of tobacco and cask, being the costs of the suit in that court and in the Provincial Court.⁴⁶ At the same time, Thomas South deposed that in about July 1654 Francis Brookes had come to where South had then been living and said that he had given John Salter possession of Beaver Neck. South stated that he had then come to Beaver Neck to live, as Salter’s ‘Co-partner in the plantation’.⁴⁷

In September 1655, Isaack was a witness to a document by which ‘Annicak Hanson’, a widow, agreed to ‘bestowe and giue Hance Hansonn my oldest sonne’ unto Joseph Weeckes [Wickes]’. Wickes agreed to care for the boy, who was then nine years old, until the age of 21 years, and to be responsible for his education.⁴⁸

In January 1656 (recorded as 1655, according to the Old Style Calendar), Isaack swore a deposition in which he stated that he was ‘aged 40 yeares or thereabouts’. He deposed that a man named Ned Rogers had come to his house in October 1655 (‘upon a saboth day’) and had gone into the tobacco house to look for ‘a steelle th^t hee left theare’. Isaack stated that Rogers had then killed a turkey, brought it into Isaack’s house and said that he had shot a turkey. He further deposed that Rogers had said to him ‘if you will giue mee two shots of poud^r & shot, y^u shall haue th^e turkey’, and had further said ‘I’ll goe out againe & y^u shall heare mee shoot againe’.⁴⁹

Also in January 1656 (recorded as 1655, according to the Old Style Calendar), Isaack, ‘of the Isle of kent planter’, signed a document acknowledging that he had sold a cow and her calf to Thomas Wetherly. The animals were described in the document as ‘one broune Cowe & her Calfe, with whitte hornes & whittishe gray towards th^e end of th^e taille, and a hole in th^e Right eare, & th^e left eare Cropt, & halfe of th^e left eare taken away’.⁵⁰

Also in January 1656 (recorded as 1655, according to the Old Style Calendar), Isaack deposed that he had been at the house of a man named George Crouch ‘in ye tyme of his sickness’, and that Crouch had desired to tell him about the disposition of his estate. According to Isaack, Crouch had asked him to take notes of what he intended to give to his wife and children,

⁴⁵ Maryland State Archives, Land Office (Patent Record), Transcript 1, p 630 (Liber B, Folio 235) (SM2-2; SR 7341).

⁴⁶ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) pp 26–7 (Liber A, Folio 99).

⁴⁷ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 27 (Liber A, Folio 99). See also at p 131 (Liber B, Folio 35).

⁴⁸ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) pp 28–9 (Liber A, Folios 100–1).

⁴⁹ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 41 (Liber A, Folio 109). See also George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) p 203.

⁵⁰ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 46 (Liber A, Folio 112).

namely, two guns, ‘a heiffer called gentle’ and a ‘yearling coloured black called nanie’ to his son George, and a ‘heiffer called melenore’, one sow and some pigs to his daughter Marie. He bequeathed the rest of his goods and his plantation to his wife.⁵¹

In August 1656, Richard Blunt deposed that Thomas South had bought a plantation from Isaack in about April of that year. It is apparent from other records that the plantation was Beaver Neck. Blunt stated that Isaack lived on the plantation and that the purchase was made at Isaack’s house. He further deposed that South had purchased the plantation ‘for foure thousand pounds of [tobacco] & Cask, which [tobacco] was ... accepted [by Isaack] in bills’, and that Isaack and Henry Clay ‘weare to make their Cropps upon it only th^e p^rsent ye^r’. He stated that Isaack desired secrecy on the part of Blunt and others who were present because Isaack had promised to buy Zachary Wade’s part of the plantation as soon as possible. According to Blunt, secrecy was required because Wade would have required Isaack to pay more for Wade’s part if the proposed sale to South had become known to him. Blunt deposed that the sale to South was conditional upon Isaack acquiring Wade’s part of the plantation.⁵²

In December 1656, Isaack swore a deposition in which he stated that he had heard Matthew Reed say that ‘M^r Hinson Did gitt his [living] by shifting sharking And Cossoning’. Henry Clay deposed that he had heard the same, and Thomas South deposed that he had heard similar words.⁵³

In February 1657 (recorded as 1656, according to the Old Style calendar), Isaack swore a deposition in which he stated that about two and a half years earlier he had been at the house of ‘M^r Marsh’ wanting a pair of small steelyards to weigh some sugar. Isaack further deposed that Marsh had said that ‘M^r South’ had a pair of his, and asked Isaack to demand them from South. Isaack stated that he did so but received no answer.⁵⁴

Also in February 1657 (recorded as 1656, according to the Old Style calendar), Isaack and Henry Clay each swore a statement corroborating a deposition of Elizabeth Clay. She had deposed that in about October 1656, when Matthew Read was at ‘Mr Souths house’, South had called Reed ‘knave’ and said that he would prove him so.⁵⁵

In February 1657 (recorded as 1656, according to the Old Style calendar), Isaack made a statement recording that he had sold the plantation known as ‘Bever Necke’ to Thomas South ‘for The som of Three Thousand pounds of Tobacco in hand [Received]’. He stated that he had sold the plantation together with all the appurtenances and privileges that had belonged to him

⁵¹ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) pp 47–8 (Liber A, Folio 113). See also George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) pp 207–8 (Liber A, Folio 112).

⁵² Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 78 (Liber B, Folio 2).

⁵³ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 68 (Liber A, Folio 123). Isaack’s evidence is referred to in Mary Beth Norton, *Founding Mothers and Fathers: Gendered Power and the Forming of American Society* (1997) p 211.

⁵⁴ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 86 (Liber B, Folio 7).

⁵⁵ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 90 (Liber B, Folio 9).

and Zachary Wade.⁵⁶ On the same day, South assigned to Thomas Hinson half of his right and title to Beaver Neck for 1,500 pounds of tobacco and cask.⁵⁷

In March 1657 (recorded as 1656, according to the Old Style calendar), a court at Kent County dismissed a proceeding that had been brought against Isaack by John Deare, and ordered Deare to pay the costs of the suit.⁵⁸

In September 1657, Captain Robert Vaughan deposed that about six or seven years earlier he had received several patents for land, including one for Isaack and Zachary Wade in respect of the land known as Beaver Neck. He stated that he had demanded payment of certain fees due to Thomas Hatton, who was at that time the Secretary of the Province of Maryland, in respect of the patent for Beaver Neck.⁵⁹ At the same time, Henry Morgan swore a statement in which he deposed that six or seven years earlier he had paid Hatton for three patents, including one for Isaack and Zachary Wade in respect of Beaver Neck.⁶⁰

Also in September 1657, Thomas Ringgold swore a statement in which he said that Francis Brookes had requested him to go with him to Beaver Neck, as the governor had sent a warrant to the Commissioners of Kent to give Brookes possession of the land. Ringgold stated that, when Brookes showed Isaack the warrant and demanded possession of the land, Isaack gave Brookes 'free Possession by going out of Doors'. Henry Morgan deposed at the same time that about five years earlier Brookes had asked him to go along with Brookes to see if Isaack would give him possession of Beaver Neck. According to Morgan, he responded that he would go with Brookes 'but he would not Medell with him in any such Thing'. He stated that 'Brookes Rec'd sattesfaction', but that he could not say whether or how he had possession of the land.⁶¹

In July 1658, John Salter brought a complaint against Thomas South in which he stated that he had purchased the plantation called Beaver Neck from Francis Brookes in July 1654. He said that he had subsequently had quiet possession of the land for about four or five months, and that during that time Isaack also had resided at the plantation with Brookes's permission. Salter stated that Brookes had asked him to ensure that Isaack 'might not be molested in th^e Finishinge of his Cropp th^t he had planted th^t yeare upon th^e plantacon', and that he (Salter) had agreed to this. Salter then referred to the action brought by Isaack against Brookes in the Provincial Court of Maryland in October 1654. He stated that Brookes did not raise any defence to that action ('through [Brookes's] obstinance, or willfullnesse, or dislike to th^e then p^rsent Gouvernm^t in hopes & Expectacon of A suddaine alteracon there of, or for what other Causes or reasons I Know

⁵⁶ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674) and Somerset (1665-1668) Counties* (1937) p 105 (Liber B, Folio 29).

⁵⁷ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674) and Somerset (1665-1668) Counties* (1937) p 105 (Liber B, Folio 29).

⁵⁸ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674) and Somerset (1665-1668) Counties* (1937) p 103 (Liber B, Folio 30).

⁵⁹ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674) and Somerset (1665-1668) Counties* (1937) p 114 (Liber B, Folio 24).

⁶⁰ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674) and Somerset (1665-1668) Counties* (1937) p 115 (Liber B, Folio 23).

⁶¹ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648-1676), Talbot (1662-1674) and Somerset (1665-1668) Counties* (1937) p 115 (Liber B, Folio 23). See also at p 131 (Liber B, Folio 35). In the version recorded at Liber B, Folio 35 (referred to in proceedings in the Provincial Court of Maryland in July 1658 and apparently transcribed by the clerk William Leedes), the words 'some Power or Fiue yeares' were added after the words 'yo^r Depon^t was requested by Francis Brookes', and the words '& did giue him free possescon' were added after the words 'th^e sd Iliue gaue the s^d Brookes possescon by goeing out of doores'.

not'), and that this enabled Isaack to succeed with the action. Salter noted that Isaack had then brought a successful action against him, and that he had thereby been dispossessed of the plantation and ordered to pay 747 pounds of tobacco and cask.

Salter claimed that he could prove Isaack did not have a valid title to the land, and that Isaack had only made use of the land with Brookes's permission and agreement and by paying rent to Brookes. Salter produced a warrant from August 1651 passing a grant of the plantation to Brookes. In his defence, South relied on the conveyance of the land to him from Isaack, and the warrant and certificate of survey dated August 1650. Salter sought an order granting him title to the land, and also sought an order that South and Isaack pay for the cost and damage sustained by him 'either by their uniust molestacon or possescon or illegall detencon of th^e afore sd Land' and the cost of the suit.⁶²

Also in July 1658, Elizabeth Clay swore in answers to interrogatories that about six or seven years earlier she had been at the house of Isaack with Francis Brookes, Henry Morgan and Thomas Ringgold. She stated that she did not know whether Isaack had given Brookes possession of the land, but that Brookes had demanded possession and that Isaack had denied him possession.⁶³

There is no known record of Isaack having lived in Maryland after these records of 1657 and 1658.

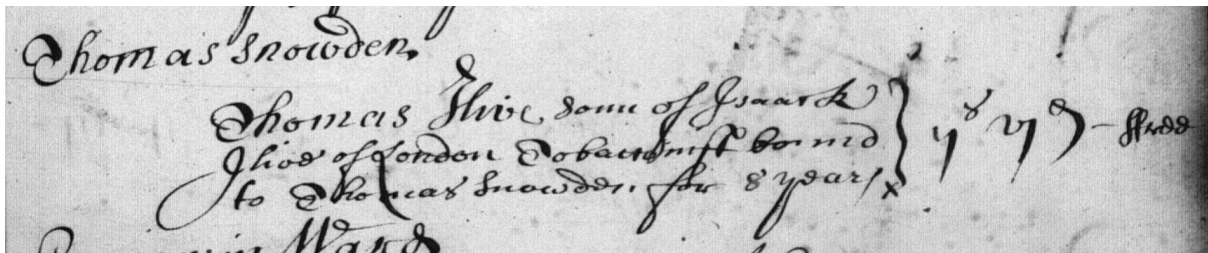
Isaack had returned to London by 1666. In the 1666 hearth tax records, his name appears in reference to a house in Rope Makers Alley (now Ropemaker Street) in the parish of St Giles-without-Cripplegate. According to the record, the house had three hearths. A note in the record states 'Removed', which suggests that he had left the house. Rope Makers Alley was about 300 metres from the church of St Alphage, London Wall. As referred to below, four daughters of Isaack and Rebecca were baptised at St Alphage, London Wall, and two were buried there.

The following four daughters of Isaack and Rebecca Ilive were baptised during the period from 1668 to 1676: Rebecca, who was baptised on 9 January 1668 (recorded as 1667, according to the Old Style calendar) at St Alphage, London Wall and was buried on 5 August 1668 at St Alphage, London Wall; Elizabeth, who was baptised on 1 August 1669 at St Alphage, London Wall; Christian, who was baptised on 9 March 1671 (recorded as 1670, according to the Old Style calendar) at St Alphage, London Wall and was buried on 18 January 1675 (recorded as 1674, according to the Old Style calendar) at St Alphage, London Wall; and Rebecca, who was baptised on 8 October 1676 at St Alphage, London Wall and was buried on 24 October 1677 at All Hallows Barking. That is, burial records have been identified for three of these four daughters (all three of whom died in infancy or early childhood); the only one of the four daughters who is not known to have died as a child is Elizabeth.

⁶² Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) pp 133–5 (Liber B, Folios 37–8). The Court held that the warrant relied upon by South (pursuant to which the land known as Beaver Neck had been laid out for Isaack) could not have been surveyed upon land which had been escheated to the Lord Proprietor. The Court determined that the land should be put into Salter's possession, and ordered South to pay 5,444 pounds of tobacco, together with fees incurred in the suit. It ordered South to provide housing to Salter and his wife within 10 days, but also ordered that South and Hinson remain on the plantation 'wthout molestacon of [Salter] till th^e Crop be throughly cured & Finished'. See also Alexandra Silver Cawley, *Household and Community: Kent County, Maryland, 1631–1676* (PhD thesis, American University, March 2004) pp 78–83, which contains a discussion of this dispute.

⁶³ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) p 135 (Liber B, Folio 38).

Isaack's son, Thomas, was bound as a stationer's apprentice to Thomas Snowden in London on 3 June 1678 for a term of eight years. A record of the apprenticeship states that Thomas's father was Isaack Ilive, a tobacconist of London.⁶⁴ If Thomas was aged about 14 or 15 years at the commencement of the apprenticeship, then he was born in about 1663 or 1664.⁶⁵



'Apprentice Registers' in Robin Myers (ed), *Records of the Worshipful Company of Stationers 1554–1920* (1985) reel 35 (microfilm), 3 June 1678: 'Thomas Ilive sonn of Isaack Ilive of London Tobacconist bound to Thomas Snowden for 8 years'

As referred to above, Isaack took a vintner's apprentice, Humfrey Ilive, who was a son of his brother Humfrey, for a term of seven years on 7 February 1671.⁶⁶

In February 1677 (recorded as 1676, according to the Old Style Calendar), Mark Benton, a planter of Kent County, Maryland, signed a document appointing John Meggison, a planter of the Isle of Kent, in his place, to the use of Isaack to recover money owing to Isaack in Maryland. The document refers to Isaack as 'Isaac Ilive of London Vintener'.⁶⁷

⁶⁴ 'Apprentice Registers' in Robin Myers (ed), *Records of the Worshipful Company of Stationers 1554–1920* (1985) reel 35 (microfilm).

⁶⁵ There are no references to Isaack Ilive or any member of his family in lists of births, marriages and burials in Kent County during the period from 1654 to 1667: Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676), Talbot (1662–1674) and Somerset (1665–1668) Counties* (1937) pp 38, 129–130, 186, 187, 188, 267.

⁶⁶ London Metropolitan Archives, CLC/L/VA/B/001/MS15201/005; London Metropolitan Archives, CLC/L/VA/C/017/MS15220/001. The latter record states: 'Humphridus Ilive filius Humfridi Ilive de Stamford in Comitatu Lincoln Aromatarii ponit se Apprenticem Isaaco Ilive Civi et Vinitario London pro 7 annis a dato' ('Humphrey Ilive, son of Humphrey Ilive of Stamford in the County of Lincoln, spice-dealer, is bound as an apprentice to Isaac Ilive, citizen and vintner of London, for 7 years from the given day'). Humfrey Ilive, son of Humfrey, was baptised St Michael's in Stamford, Lincolnshire on 6 April 1650. George C. Williamson, *Trade Tokens Issued in the Seventeenth Century* (1889) vol I, p 489 states: 'Humfrey Ilive, son of the token-issuer, was, as free born, admitted freely to his hall, August 29, 1678 ; was one of the constables of St. Michael's [in Stamford, Lincolnshire], 1685-6 ; elected a capital burgess, March 3, 1693-4, in the place of Richard Walburge ; made an alderman, loco., Mr. Edw. Curtis, def. ; chamberlain, 1703-4 ; appointed by the hall one of a committee, April 24, 1708, to consider the question of fines for freedom, and make a report at the next hall.' Humfrey married Penelope Billington on 27 February 1684. He was recorded as being a grocer when he married Mary Azlock on 26 January 1703. He was also recorded as being a grocer in his will made on 28 September 1710 (Lincolnshire Archives, MISC DEP 123) and when he was buried on 3 October 1710. His widow, Mary, was buried on 15 November 1730. All of the marriages and burials referred to above occurred at St Michael's in Stamford.

⁶⁷ Archives of Maryland, Volume 557, *Kent County Court, Proceedings, 1676-1698* (2003) pp 14–15. In 1652, Benton had successfully petitioned against Robert Vaughan for a court order for his freedom 'with corne and clothes': George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) p 21. As referred to above, Benton was on the Isle of Kent with Isaack in 1652 when both men signed a document promising 'to be true and faithful to the Commonwealth of England, without King or House of Lords': George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) pp 59–60.

Know all men by these presents That I Mark Benton in y^e County of Kent
 Plant^r have made & ordaind & Constituted And in my stead & place
 putt and Deputed: And by these presents Doe make ordaine Constitute
 and in stead and Place putt & Deputer John Meggison of y^e Isle of
 Kent Plant^r in y^e Province of Maryland My true & Lawfull
 Attorney for me & to y^e use of Isaac Ilive of London Vintener To ...

Archives of Maryland, Volume 557, *Kent County Court, Proceedings, 1676-1698* (2003) p 14: 'Know all men by these presents That I Mark Benton in y^e County of Kent Plant^r have made & ordaind & Constituted And in my stead & place putt and Deputed And by these presents Doe make ordaine Constitute and in stead and Place putt & Deputer John Meggison of y^e Isle of Kent Plant^r in y^e Province of Maryland My true & Lawfull Attorney for me & to y^e use of Isaac Ilive of London Vintener To ...'

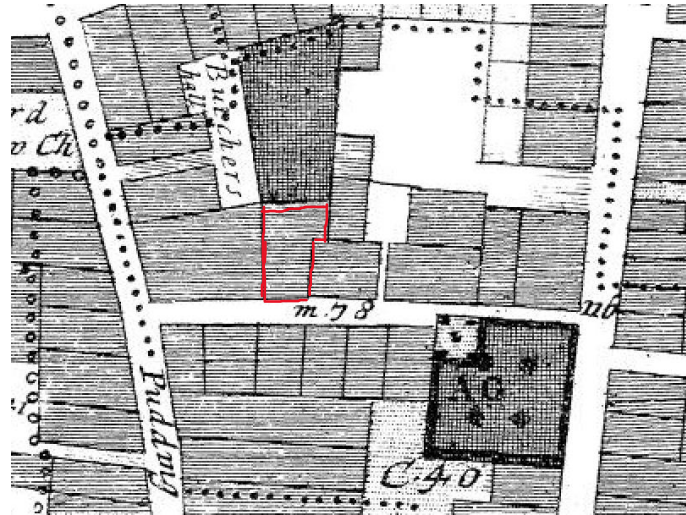
In December 1694, Isaack made an oath deposing that he knew Anthony Gronen and had seen him receive Communion in the parish of St Peter's, Cornhill. John Gentrey, the parish clerk of St Peter's Cornhill, made an oath in the same terms. Isaack is referred to in the document as 'Isaac Ilive of St Georges Botolph Lane in London'. The oaths were subscribed to a certificate given by William Beveridge, the Minister of St Peter's, Cornhill, that 'Anthony Gronen Gent of St Mary Hill' had received Communion in the parish church of St Peter's Cornhill '*immediately after Divine Service and Sermon ... according to the usage of the Church of England*'.⁶⁸

In the 1695 marriages tax records, Isaack was recorded as 'Isaac Iliff Widdr' and as living in the parish of St George, Botolph Lane in London. He was living with 'Elizabeth Iliff His Daughter' as one of a number of lodgers in the house of Elizabeth Flight, a widow. It is apparent from land tax records that the house was situated on the north side of George Lane, near the corner with Pudding Lane (the street in which the Great Fire had started less than 30 years earlier). It appears from those records that the house was located one house to the east from the north-west corner with Pudding Lane.⁶⁹ John Flight had been listed as the householder of the house in the land tax records of 1693 and had been buried on 22 December 1693 at St George, Botolph Lane. Below is an extract from Ogilby and Morgan's *Large Scale Map of the City as Rebuilt by 1676* (1676) showing in red the likely location of the Flights' house, where Isaack Ilive and his daughter Elizabeth were living in 1695. That property abutted the southern boundary of Butcher's Hall. The street marked 'm.78' was George Lane. The church of St George, Botolph Lane was marked 'C.40'⁷⁰ (the double-hatched square being the church building and the lighter area being the churchyard).

⁶⁸ Parliamentary Archives, HL/PO/JO/10/1/468/857(c).

⁶⁹ See Land Tax Records, Ward of Billingsgate, St Georges Parish, 1692 ('Jno. Flight'); Land Tax Records, Ward of Billingsgate, St Georges Precinct, 1831, p 5 ('Jas. Atcheson' in George Lane). It appears that the house was in the location of the property numbered 8 George Lane as indicated in Thomas Chatfield Clarke, *Plan of the Parish of Saint George Botolph Lane in the City of London Surveyed 1881* (London Metropolitan Archives, Catalogue number k1264586).

⁷⁰ *London Survey'd: or, An Explanation of the Large Map of London* (1677) p 12.



Isaack Ilive was buried on 7 August 1699 at St George, Botolph Lane.

Isaack's daughter, Elizabeth Ilive, married Thomas Biggs on 1 October 1699 at St James, Duke's Place in London. The marriage register records that Elizabeth was aged 24 years and that Thomas was aged 22 years. In a marriage allegation dated 30 September 1699, Thomas Biggs stated that he was a bachelor of the parish of St George, Botolph Lane and aged about 22 years, and that Elizabeth was a spinster of the same parish and aged 23 years. The allegation further stated that Elizabeth 'was at her owne dispose. her father and mother being dead'. On the assumption that the marriage register correctly recorded her age, Elizabeth was born in 1674 or 1675. As referred to above, a daughter of Isaack and Rebecca Ilive, named Elizabeth, was baptised in 1669 and is not known to have died as an infant. If this is the baptism record of the woman who married Thomas Biggs, then she was in fact aged about 30 years when she married. Thomas and Elizabeth Biggs had twin sons, Isaack and Thomas, who were baptised on 10 January 1700 (recorded as 1699, according to the Old Style calendar) at St George, Botolph Lane and were buried on 16 January 1700 (recorded as 1699, according to the Old Style calendar) at St George, Botolph Lane.⁷¹

⁷¹ A woman named Elizabeth Biggs, wife of Thomas Biggs, was buried on 2 February 1701 (recorded as 1700 according to the Old Style Calendar) at St Katherine Coleman in London. However, it appears that this was not the daughter of Isaack Ilive. A child of Thomas and Elizabeth Biggs, Katharine, was baptised at St Katherine Coleman on 10 January 1676.

Appendix: References to Isaack Ilive in Maryland

‘Land Notes, 1634–’ in *Maryland Historical Magazine* (1913) vol VIII, p 51, at p 61:

12^o [f]ebr. [1650 (recorded as 1649, according to the Old Style calendar)] M^r Isaack Hive [Ilive] demandeth 100 Acres of land for his owne transport in Anno 1644.

12 [f]ebr. Zacharias Wade demands 100 Acres of land by Assignem^t from M^{rs} Brent vpon Record.

Warr^t to the Surveyor to lay out 200 Acres of land to Hive [Ilive] & Wade at the Isle of Kent vpon the Plantacoon where Jo : Gresham lived.⁷²

Maryland State Archives, Land Office (Patent Record) 1646-1657 AB&H, transcript of A, F, and H SR 7344, p 109:

Aug^t 18th. 1650
Cancelled
ejected upon
Brooke’s Titles

To the Hon^{ble}. the Lieut. Generall

Laid out for Isaac Ilive and Zachary Wade of the Isle of Kent Planters a Parcell of Land upon the Said Island called Beaver Neck Sometimes the Land of John Gresham Planter bounding on the West with the Bay of Chesapeak beginning at a Marked Pine by the Bay side on the South and East with a Creek called Beaver Creak on the North with a line drawn from a Marked Oak standing upon the Said Creek West North West through the Woods unto the Said Pine Containing and now laid out for Two hundred Acres more or lefs.

Archives of Maryland, Volume 4, *Judicial and Testamentary Business of the Provincial Court 1637–1650* (1887) pp 460–1:

[Liber A] Nouemb^r 20th 1647.
p. 224

The Depⁿ of M^r Isaack Hine [Ilive] aged 28 yeares of thereabouts taken in a cause between M^r [f]rancis Brooks, & Rich. Span both of the Ile of Kent.

This Dep^t Sayth th^t about August last, hee was present when about Abbotts house on the Ile of Kent, Rich. Span killed one sow, the marke he knows not more then th^t one eare was crop’d, & a hole, & he understood by such as were in company. That and one more then killed were Abbotts hoggs the other hog was killed by John Palmer. [f]urther this Dep^t sayth not.

Jurat Coram Giles Brent⁷³

⁷² See also Maryland State Archives, Land Office (Patent Record), Transcript of A, F, and H, pp 35–6 (SM2-5; SR 7344); Maryland State Archives, Land Office (Patent Record), Transcript 2, p 581 (Liber A, Folio 316) (SM2-3; SR 7342). As noted above, it appears that the 1913 record was transcribed from the original Patent Book, as it differs in minor respects from the 1717 and 1725 transcripts.

⁷³ See also Maryland State Archives, Land Office (Patent Record), Transcript 2, p 417 (Liber A, Folio 224) (SM2-3; SR 7342), with some textual differences.

January
24th 1660

Whereas the right honorable the Lord proprietary of this province by his 24th special Warrant under his hand and seal at Armes dated the eight and twentieth of August 1649 directed to his Lopps now Governour to Cause a grant to be passed to Left : Will : Euens and John Jarbo and thair heirs of A plantation in the Ile of Kent formerly belonging to Jo : Abbott with all the Apurtinances thereunto to be longed as in and by the said warrant Remaying upon Record with the secretary of this province moore at large Apeareth Now this presents witness that we the said Left : will : Euans and John Jarbo for and in Consideration of a sertaine valuable quantity of tobacco in Caske (for which we have taken security by bill) doe sell assigne and deliuer to John Gremsditch and Isacke Iliue thair heirs and assigns for ever all owre right titell & Interest unto the plantation and apurtinances before Mentioned together with all benefits and Advantage which might or may accrewe unto us by vertue of the said warrant witness our hands this 20th day of November 1650

In the presents of	William Evans
Richard Willan	John Jarbo
Charles Maynard	Vara Copia Tobye Wells Clk

this 5th of Aperell 1651

This presents testify that we John Grimsditch and Isack Iliue both of the Ile of Kent planters doe Assigne & make over all our Rights and titell of the within specified Convayance as it is to us Confermed with the Rents and arrears to be by us defrayed as to the datte hereof acknowledging foure hundred Acres of land to be the trew propotion as it was sould to us which the land we the said grimsdith and Iliue do assigne over unto Mr Tho : March Marchant or his assigns for ever as witness our hands

Testes Leo: Stronge	Isack Iliue
Signeme	signed
Henry [mark] Morgan	John [mark] Grimsdith
Vara Copia	Tobye Wells Clk

5th of Nouember 1650

We Will : Euans and John Jarbo do Assigne our Right titell and Interest of our plantation at Kent and land thereunto Belonging unto John Grimsdith and Isacke Iliue or thair assigns for ever as witness our hands the day and yeare above written

Teste Walter packer	William Euans
Thomas [mark] howard	John Jarbo
his marke	Vara Copia Tobye Wells Clk ⁷⁴

George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) pp 59–60:

SEC. 36. Upon folio 42 is recorded the following important document, and interesting list of names :

ISLE OF KENT, 5 th April, 1652.	We, whose names are hereafter sub- scribed, do promise and engage ourselves to be true and faithful to the Common- wealth of England, without King or House of Lords.
--	---

...

⁷⁴ See Bernard Steiner, 'Kent County and Kent Island, 1656–1662' in *Maryland Historical Magazine* (1913) vol VIII, p 1, at p 17, which incorrectly gives a date of 20 November 1660, rather than 20 November 1650.

Isa. Hive [no asterisk appears beside his name]

...

NOTE.—* Made his mark.

SEC. 36, A. This list of sixty-six names undoubtedly includes all the adult white male colonists living in Kent county in 1652–53, or nearly all ; and we may therefore infer that the white population, upon the Island, then numbered about 330 souls. Many of these signatures may be autographs; some of them are certainly not. THOMAS RINGGOLD never pronounced or spelled his name *Rin-gould*. JOHN COURSKY could not have signed it before the month of February 1653, as we will presently see.

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) p 83 (Liber B, Folio 5):

I John Deare Doe Assigne ouer all my Right & Tytell of This Patten vnto francis Huntt as witnes my hand

This 31th of May
Anno Dom 1652
Isack Iliue
hen Clay
his marke

John Deare
his Marke

Maryland State Archives, Land Office (Patent Record), Transcript of A, F, and H, pp 231–2 (SM2-5; SR 7344):

24th. Nov. [1652] These Presents Testify that M^r. Thomas Marsh hath Right unto Four Hundred Acres of Land not yet taken up in this County

Wittnefs my hand this 11th. of October 1652.

Test me Robert Burle Chem Com de Ann Arundell

24th. Nov. M^r. Thomas Marsh by his Letters to me M^r. Thomas Hatton his Lordship's Secretary Dated Oct: 24th. 1652 hath Asfigned to Isaac Iliue One hundred Acres of the Four Hundred Acres above Mentioned

24th. Nov. Warr^t. to lay out for M^r. Thomas Marsh Three Hundred Acres on the Eastern Shore of the Bay of Cheasapeak or elsewhere within this Province not formerly taken up ret: 1^o Junij

24th Nov: Isaac Iliue Demandeth One Hundred Acres Asfigned to him by M^r. Thomas Marsh as above is Exprefsed

Marsh pay Warr^t. (Eod:) to lay out for Isaac Iliue One hundred Acres of Land upon Pinie Neck or elsewhere within this Province not formerly taken up ret: 1^o Junij

Maryland State Archives, Land Office (Patent Record), Transcript of A, F, and H, p 295 (SM2-5; SR 7344):

To the Hon^{ble}. the Lieut Generall

Dec: 22th: 1652 Laid out for Isaac Ilimes [Iliue] a parcell of Land lying on the East Side of the

Claypit Neck

pine Tree standing near the head of a Swamp called Ilimes's [Ilive's] Swamp. Bounding on the West with a line drawn North West and North from the said pine for the length of Thirty perches to a marked Oak then with a line drawn North from the said Oak for the length of Eighty and five perches to a Branch called Clay-pitt Branch, On the North with the said Branch, On the East and South with the said Creek. Containing and now laid out for One hundred Acres more or lefs. Robert Clark Surveyor

Maryland State Archives, Land Office (Rent Rolls) 1640-1772, 12 QA, i of tracts (SR 4381-2):

Acres Yly Rent

100 2

Clay Pitt Neck Survd. 22d. of December 1652. for Isaac Ilive on the East side the Isle of Kent near Cox's Creek. Pofsd. by Thos. Jones in right of Fras. Bright's heirs.

George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) p 25:

SEC. 29. At the February session of the Court, in 1652, *o. s.*, The Court granted a Certificate to John Conitt, for 300 acres of land, "he coming to this Island, himself, his Wife & Child the first of May last, 1652." Fol. 67.

...

SEC. 30. At the same Court Henry Carlien, and Thos. Ringgold testified, that about the last of the previous May, they heard Capt. Jacobs say, "that he had shipped 16 hhds. of Tobacco aboard Mr. Marsh his vessel." Fol. 70.

Francis Lumbard testified, that he heard Capt. Jacobs about the same time say, "that he was to give Mr. Thos. Marsh 4 lbs. a ton for freight in his vessel to New England. Fol. 70.

Isaac Iler [Ilive] confirmed the testimony of Mr. Lumbard. Fol. 70.

Maryland State Archives, Land Office (Patent Record), Transcript 1, p 409 (Liber B, Folio 116) (SM2-2; SR 7341):

The Deposition of Isaack Ilive aged 37 yeares or thereabouts Sworne & Examined in the Court at Kent Sayth.

That upon the 29th of January last past being at Cliffes where was present Cap^t Robert Vaughan, and Thomas Pott, And yo^r Depon^t did hear Thomas Ward of this Island Say that Henry Clay's wife was a burnt Arse whore and had the Pox, and he would Verify it, And further Saith not

Isaack Ilive

Cap^t Robert Vaughan being then present did heare Isaack Ilive and Thomas Ward fall out and urging words past on both Sides, But yo^r Depon^t did hear Tho: Ward Say the Same words that Isaack Ilive doth as he affirmeth upon oath.

Rob^t Vaughan

Thomas Pett being at that time present doth affirme the Same, onely that instead of whore he Saith Slutt.

Tho: Pett

Henry Clay upon the proofes last before Entred Sueing Tho: Ward upon an Accon of Slander in the Court at Kent That Court made theire Order thereupon 1^o Martij last, upon which Clay appealed to the Provincial Court here of which appeale the Court at Kent allowed [...] Whereupon this Court proceeded to the hearing of the Cause as followeth viz.

Henry Clay pl^t
Thomas Ward def^t

The Complt having appealed from the Court at Kent to the Provinciall Court here, after Judgment pased in that Court the first day of this present Month against the defend^t for Slanderous words by him Spoken concerning the Compltes wife, Expresed in that Order. Upon Consideration now had of the Said Order of that Court and of the Deposition of m^r Thomas Ringould one of the Com^rs there who now deposed in Court that the defend^t Ward upon the pafsing of that Judgm^t did in a Violent way of Expression offer to take his oath in open Court at Kent that the Compltes wife had had the pox or to that Effect, It is thereupon ordered in the presence of both parties p^lt and Defendant, and upon hearing what could be alledged on either party and proofes produced, That the defendant according to the Judgment of the Court at Kent before Expresed Shall there three Severall Court dayes next after his now return to Kent in open Court there in a Submifsive way acknowledge that he hath done the wife of Henry Clay great wrong in the Slanderous and abusive words by him uttered concerning her, Expresed in that order and to aske her forgiveness for the Same with promife never to wrong her Soe againe And in default of performance therein in a Submifsive due respective Manner and at the dayes before Expresed if Just and allowable occasion hind not, the defendant Ward is to pay one thousand pounds of Tobacco and Caske as a fine to the Lord Proprietary, or if Estate of his may not be found Sufficent to Satisfie Such fine he is to be whipped with one and thirty Stripes, at Some Court to be held at Kent Shortly after it is made appeare to the Court there that his Said Estate is not Sufficent for the purpose aforesaid, And that he hath not Satisfied the Said fine.⁷⁵

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) p 54 (Liber A, Folio 117):

Bee it known unto all men by these p^rsents That I Thomas Broadnox of th^e Isle of Kent plant^r doe Acknowledge to haue sould unto Henery Clay of th^e same place afforesd plant^r his heires Executo^{rs} Admini[~] or Assignes one psell of Land formerly graunted by pattent unto Thomas Stent the 17th of May 1641 and Assigned unto Deuerex Godwin And now Assigned unto mee Thomas Broadnox by th^e sd Godwine And I doe bynd my self e my Heires Executo^{rs} Administ[~] or Assignes, firmly by these p^rents, that th^e sd Henerie Clay shall quietly Enioy th^e same beeing bounded by marked trees on th^e south with a Creeck Caled Stents Creeck or branch ; on the West wth a meridial liene from heade of th^e branch untill it meet a line drawn from Butlers Marsh ; on th^e North with th^e sd parallel l; On th^e East with Coxes bay, Containenge by Estimation & now laide out for one hundred Ackers, bee it more or lesse, with all pffitts & benefittes upon th^e same And th^t I th^e sd Thomas Broadnox doe bynd my selfe my heires Executo^{rs} Admini[~] or Assignes th^t th^e sd Clay his Heires Executo^{rs} Admini[~] or Assignes shall quietly & peaceably Enioy th^e same, without th^e trouble or molestation of mee my Heires Executo^{rs} or Assignes or any pson or psons whatsoever ; and to th^e true Extent & meaning heareof I haue heare unto set my hand this 7th of May 1653
Thomas Broadnox
his signe
Deliued in the presents of us
Tho : Hynson
Isa : Iliue

Maryland State Archives, Land Office (Patent Record), Transcript 1, p 630 (Liber B, Folio 235) (SM2-2; SR 7341) contains the following record from October 1654:

[At p 623 (Liber B, Folio 231)] At a Court holden for the Province of Maryland the 16th of October 1654.

...

⁷⁵ See also *Archives of Maryland*, Volume 10, *Judicial and Testamentary Business of the Provincial Court 1649/50–1657* (1891) pp 234–5.

[At p 630] Whereas Isack Ilive being pofsefised of two hundred Acres of Land called beaver Neck was disturbed by meanes of Francis Brooke pretending a Grant from the Lord Baltemore and power from the Governour which doth not appeare to this Court. It is therefore Ordered that M^r. Phillip Conniers Commander of the Isle of Kent shall Cause the said Sheriffe to give the said Ilive quiet pofsefsion of the said Land.

It is Likewise ordered that those that dispoftest the said Ilive shall pay Cost of Suit.⁷⁶

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) pp 26–7 (Liber A, Folio 99):

[At p 25] At a Cou^t houlden for Kent this 25th of Aprill 1655 at the house of Leiuetenant Hinson high sheriffe for th^e Countie

	Capt~ Jos : Weickes	m ^r W ^m Eliot
p ^r sent	m ^r Phillipe Conier	m ^r Hen Carline
	m ^r Tho : Ringold	

...

[At pp 26–7] m^r Izake Ilive Complaines ag^t Jn^o salter th^t hee hath molested him upon his plantation, hauinge a bill of sall under Broockes his hand & possession giuen him by Broockes, as in Cou^t hee hath, acknowledged, & upon this accoumpt kept possession, & made usse of some part of th^e fruit

The Cou^t doth therefore Order, th^t th^e s^d Jn^o Salter shall according to an Order from th^e Prouinciall Cou^t, dated Octobr 18th 1654 and thearein Exprest, th^t whoesoeuer should bee found to dispossesse Izack Ilive of th^e quiet Enioyment of his plantacon, should pay th^e Charges of th^e suite Occasioned by th^e sd dispossessor which now th^e Cou^t hath found to bee John Salter ; And thearefore doth Order th^t th^e sd Jn^o Salter shall pay unto m^r Ilive uppon all demaunds, seauen hundred fourtie seauen pounds of tob in Caske, which is th^e wholl Charges of th^e suit now, at this Cou^t & formerly at th^e Prouinciall Court Expended

...

The depposition off m^r Tho : South aged 30 years or theare abouts taken in Court th^e 25th of Aprill 1655 Sworne Examined & Saith

That about th^e midle of July last past, Franchis Broockes of Marieland Came to th^e place, wheare yo^r deponent lued, & tould him that hee had giuen Jn^o Salter possession of Beuernecke, and upon that possession giuen, yo^r deponent Came theare to hue, as as Co-partner in the plantation, with the said Salter and further saith not⁷⁷

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) pp 28–9 (Liber A, Folios 100–1):

These p^rsents witeseth That wheareas Andrew Hansonn hath dessessed and left unto his wife Annicak Hanson foure small children and bige with child with the fifth And beeing altogather unable hauinge no estate left for the maintenance of her selfe and Children and beeing constrained for want of abillitie to dispossesse of some of them to some Christian freinds, for theire maintenance and sub-sistanc I doe by theese p^rsents acknowledge freely to bestowe and giue Hance Hansonn my oldest sonne unto Joseph Weeckes, who doth by these p^rsents acknowledge a free acceptance of him, And doth faithfully pmis and bind

⁷⁶ See also Archives of Maryland, Volume 41, *Proceedings of the Provincial Court of Maryland (3) 1658–1662* (1922) p 300 (Liber S, p 263; MdHR No 17244-1); Archives of Maryland, Volume 10, *Judicial and Testamentary Business of the Provincial Court 1649/50–1657* (1891) pp 404–5.

⁷⁷ Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) p 131 (Liber B, Folio 35).

himselfe to tacked care and guide for him all such things as shall bee any wayes Conuenient and nessesarie for his maintenance and breedinge as alsoe to beestow such Education and learninge upon him as reedinge in the English tounge writeinge of a good legable hand and castinge of Accoumpt in foure seuerall rules of Arethmaticke as the aforesayd Hance Hanson shall bee any wayes capable to learne, which learninge is to bee made good unto him duringe his abode and continuanc with the sayd Weeckes

In Consideration of the aforesayd Weeckes his freindly or other-wayes fatherly care Charge and Education of the sayd Hance Hanson hee is to continue and remaine with him to bee wholly at his disposing when or whearesoeuer or about what lawfull employm^t soeuer either by [] aforesayd Weeckes his Execut^{rs} or Assignes shall [] the day of this p^rsent date untill hee shall bee twenty *one yeares of agge* which beeinge at p^rsent nine yeares of agge ; And *unto which* agreem^t I the aforesayd Joseph Wickes and Annicak Hanson *in the behalfe* of Hance my sonne doth firmly by these p^rsents bynd him with the sayd Wickes to pform as wittnes o^r handes and seales this 17th of Septemb^r 1655

Signed sealed and deliued
in the p^rsents of
Tho : Hill Clar of Kent
Isa Iliue
The marke of
John Salter

The marke of
Annicak Hanson
The marke of
Hance Hanson

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) p 41 (Liber A, Folio 109):

[At p 39] At a Cou^rt houlden for kent January the First 1655 at the hous of mr Tho : Hinson high sheriffe for the Countie

p ^r sente	m ^r Phillip Conier m ^r Joseph Weickes	m ^r Henery Morgan Capt~ Jn ^o Russell m ^r w ^m Eliot
...		

[At p 41] The deposition of m^r Isake Iliue aged 40 years or thereabouts sworne examined & saith — That Ned Rogers Cominge to his hous in Octob^r last went into th^e tobac^o house to loocke for a steelle th^t hee left there & in goinge kild a Turkey & brought it into yo^r deponents house & sayd hee had shot a Turkey, & houldinge his hand on his face, sayd his gune had beat his face, and sayd to yo^r deponent, if you will giue mee two shots of poud^r & shot, y^u shall haue th^e turkey, & sayd further, I'll goe out againe & y^u shall heare mee shoot againe, all this was upon a saboth day ; & further saith not

Isa Iliue

James Horner aged 43 years or ther abouts sworn examined & saith: In all pticulers th^e same which is declard in th^e former deposition & further saith not

Sig~ James. Horner⁷⁸

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) p 46 (Liber A, Folio 112):

Know all men by these p^rsents That I Isake Iiue of the Isle of kent planter, haue & doth acknowledge to haue bartered sould bargained & made sall of one broune Cowe & her Calfe, with whitte hornes & whittishe gray towards th^e end of th^e taille, and a hole in th^e Right eare, & th^e left eare Cropt, & halfe of the left eare tacken away, unto Thomas Wetherly which afforesayd Cowe, with her increase, I th^e afforesayd Iliue doth by theese, Acknowledge a free & firme sall by mee & from mee my heires Exec~ Admini~ and Assignes foreuer unto th^e afforesayd wetherly his heires Exec~ Admini~ & Assignes foreuer to haue & to hould keepe & possesse & Enioy peacably as his owne pp goodes, & I doe further bynd my selfe my heires Exec~ Admini~ & Assig~ unto th^e afforsd wetherly his heires Exec~ Admini~ & Assig~ to keepe indamnfied & saue harmles foreuer from all letts hinderances molestations of any pson or psons th^t shall by any cleme whatsoever molest or disquiet th^e afforesayd Witherley his Execu~ Admin~ or Assignes in

⁷⁸ See also George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) p 203.

their quiet possession & peacable Enjoyment of th^e afforesaide & theire increasse as wittnes my hand this first of Januarie 1655

Test Rob Vaughan

Isa Iliue

Wm Leedes

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) pp 47–8 (Liber A, Folio 113):

The Deposition of m^r Isacke Iliue aged [blank] yeares or theareabouts taken in Cou^{rt} the First of January 1655 sworn Examined & saith

That beeing at th^e house of George Crouch in th^e tyme of his sicknes ; The sd Crouch desired to make his will, or to speacke sumthinge Concerning th^e dispossinge of his Estate Which was as followeth ; Sayd hee m^r Iliue I entreate y^u to take notis what I intend to giue to my Wife and Children, To my sonne George twoe gunnes, a great one & a little one, and allso I giue him a heifer Called genttle and a yerlinge Coloured blacke Cald nancie ; to my daughter Marie a heifer Called melinose twoe yeares ould & one sow and piggs that Capt~ Vaughan had giuen her formerly ; And for th^e Rest of my Cattell the plantation moueables & Immueables I giue to my Wife and further saith not
Isa Iliue

Nicolas Pickard aged [blank] yeares or theareabouts his depposition taken in Court the first of Januarie 1655 Sworne Examined and saith

That at th^e same tym when m^r Isake Iliue was with George Crouch in his sicknes yo^r deponent was also p^rsent & heard the same words formerly exprest in m^r Iliues depposition spoken or utted by the sd Crouch & further saith not
Nicholas pickard
Jurat Corum~ Phill Conier⁷⁹

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) p 68 (Liber A, Folio 123):

August th^e 12th 1656

The depposition of Ritchard Blunt aged 35 ye^{rs} or theareabouts taken in th^e p^rsents of m^r Tho : Hinson, Sworne Examined & saith

That about th^e begininge of Aprill last past, beeing at th^e house of m^r Iliue m^r South bought of m^r Iliue th^t plantacon th^t hee liues upon, for foure thousand pounds of tob & Caske, which tob was by th^e sd Iliue accepted in bills and m^r Iliue & Henery Clay weare to make theire Cropps upon it only th^e p^rsent ye^r; And th^e sd m^r Iliue dessired secessie of yo^r deponent & those th^t weare p^rsent beecause hee had Engagd himselfe to m^r south, to bye Zacherie Wades part, as soone as hee Could send or goe ; For th^t if this bargaine of sale should bee knowen, to Wade, beefore hee met with him or sent to him ; th^t then Wade would make him pay th^e more for his part And th^t if this land was Recouered away From Iliue within a yeare so th^t hee Could not make good th^e salle to m^r south then the bargaine to bee void & of none effect & m^r South to haue his tob with Cask Returnd to him againe, which th^e supposed would bee fore th^t tyme bee made an End of off, one way or other ; & furth^r saith not
Sign Ritch Blunt

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) p 78 (Liber B, Folio 2):

[At p 77] *Vponn* a Courtt Day at M^r Hinsons The 2th of Desembr /56

p^rsent M^r Phill Conner Comander
M^r Tho : Ringgold wholly Desenting
M^r Hen Morgon

⁷⁹ See also George A. Hanson, *Old Kent: The Eastern Shore of Maryland* (1876) pp 207–8.

Capt Jo : Russell

...

[At p 78] The Depossetion of Isack Iliue sworne in Court saith

That he Did here Mathew Reed say That M^r Hinson Did gitt his lueing by shifting sharking And
Cossoning And furthe saith Nott Is Iliue

Henery Clay being alsoe Deposed in Court Doth Aferm The same That M^r Iliue hath verbatim

hen Clay

his signe:

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot
(1662–1674) and *Somerset (1665–1668) Counties* (1937) p 86 (Liber B, Folio 7):

[At p 83] Att A Court houlden for kent The 2th of feb^{ry} 1656

	M ^r Phill Conner	Comander
	M ^r Tho: Ringgold	
psent	M ^r Tho : Hinson	
	M ^r Hen Morgon	Commissio ^{ns}
	Capt Jo : Russell	
	M ^r Will Elleoyett	

...

[At p 86] The Depossetion of M^r Isack Iliue saith

That yo^r Deponant som 2 ½ yeares since or There Abouts Being at M^r Marsh house And he wanting A
payer of small stilliards to way som suger : And he the s^d m^r Marsh s^d That M^r south had A payer of his
which he Desierd yo^r Depon^t To Demand Them of the s^d M^r south : which yo^r Deponant Did but recued
no Answer/

Isa: Iliue:

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot
(1662–1674) and *Somerset (1665–1668) Counties* (1937) p 90 (Liber B, Folio 9):

[At p 83] Att A Court houlden for kent The 2th of feb^{ry} 1656

	M ^r Phill Conner	Comander
	M ^r Tho: Ringgold	
psent	M ^r Tho : Hinson	
	M ^r Hen Morgon	Commissio ^{ns}
	Capt Jo : Russell	
	M ^r Will Elleoyett	

...

[At p 90] The Deposition of Elizabeth Clay Aged 34 or There Abouts sworne And Examend saith :

That sometime in October or There Abouts: Math Reed being at M^r Souths house Cald Math Reed Knaue
And s^d he would proue him soe And further sayeth Nott

Jurat Corum mee

Will Elleoyett

Hen Clay & Is : Iliue sworne in Court sayeth The Very same Words Verbatum with Elizabeth Clay

Is: Iliue

hen Clay

his signe

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648-1676)*, Talbot (1662-1674) and *Somerset (1665-1668) Counties* (1937) p 105 (Liber B, Folio 29):

Be it knowen vnto all Men by These p^rsence That I Isa : Iliue of the County of kentt in The Prouinc of Mary land & for The som of Three Thousand pounds of Tobacco in hand Recd being good Concederation Doe Acknowledg my silfe to haue Bargond And sould vnto Tho : South of The same County his heires exsecut^{rs} Admenestrat^{rs} or Assignes A Planttat Comonly knowen by The name of Bever Necke with all The Appertinancies And p^rvilidgis Thereto Belonging for ever did belong vnto me or Zachary Waed : Being by servay now layed out for Two hundred Acres more or leese And I do by These p^rsence warrant to keep in Demnified The s^d Mr Tho : South his heires Exsecut^{rs} Admenestrat^{rs} or Assignes : from ever making any Clayme vnto The Afore s^d land : ether by or from me my heires exsecut^{rs} Admenestrat^{rs} or Assignes or The heires exsecut^{rs} &c of The Afore s^d Zachery Waed for ever : But from no other p^rson or p^rsons what soe ever only he or They paying And yealding paym^t of The Accustomed Rentt And To This Agrement I haue here vnto set my hand & seall This 3th of february 1656/

Signed And Deliuerd
in Court & seald :
Tho Ringgold
John Russell
Tho : Hinson Cle :

Isa: Iliue
& seall :

These p^rsence witeseth That I Tho : South Within mentioned doe Assigne vnto Tho : Hinson his heires Exsecut^{rs} Admenestrat^{rs} or Assignes The halfe of all my Right Titell Clayme And Intrust of This Dead within Mentioned for ever for The Consederation of fifteen hundred lb of Tobacco And Caske payable This last of Nouemb^r as by bill Vnder hand Appeareth And to This Agrement I haue here vnto set my hand This 3th of feb^ry 1656/

Signed & Deliuerd in the
p^rsence of The Court
Tho : Ringold:
Jo : Russell
Will Elleyeott

Tho: South

Archives of Maryland, Volume 54, *Proceedings of the County Courts of Kent (1648–1676)*, Talbot (1662–1674) and *Somerset (1665–1668) Counties* (1937) p 103 (Liber B, Folio 30):

[At p 102] Att a Court houlden for kentt The 2th of March 1656 :

p^rsent M^r Phill Conner Comander
M^r Tho : Ringgold
Tho : Hinson
Hen : Morgon
Capt Jo : Russell
M^r Will Elleoyett

...

[At p 103] Whereas John Deare haueing sued M^r Isack Iliue And haueing Made nothing Appeare Dew: The Court hath Therefore Orderd That The s^d Deares Casse be Dismist And pay Cost of suit Elc Execution :

Att a Court houlden for kent This first of sep^r 1657

p ^r sent	M ^r Phill : Conner	Comander
	M ^r Tho : Ringgold	
	M ^r Tho : Hinson	
	M ^r Hen : Morgon	Commissio ^{rs}
	M ^r Hen : Carlien	

...

[At pp 114–15] The Depossetion of Cap^t Robt Vaughan saith

That About som 6 or 7 yeares since yo^r Dep^t had sent vp several Pattens for land vnto him : And Amungst The Rest yo^r Dep^t Did alwayes Take to be A patten for Zachery Wade & Isack Iliue for Bever necke : And did demand of M^r Henery Morgon payment for serten fees dew to M^r Hatten : which he did alwayes was for A Patten for Bever Necke : But m^r Hatten did deny The same/

Robt Vaughan

M^r Henery Morgon sworne sayeth

That About som 6 or 7 yeares since yo^r Dep^t Did pay for 3 Pattens vnto M^r Hatten which to The Best of yo^r Dep^t knowledg was one of Them for Zachery Waed & Isack Iliue for Bever necke vpon kent

hen Morgon

his signe

M^r Thomas Ringgold sworne sayeth

That yo^r Dep^t was requested by frances Brookes to goe with him Vnto Bever necke for The gouernor had sent A warrant Vp vnto The Commissio^{rs} of kent to giue the sd fra : Brookes Possetion of Bever Necke Afore mentioned : But yo^r Dep^t cannot very well Rememb^r wether it was from Cap^t stone of Mr Clarke : And to The Best of yo^r Dep^{ts} Rememberance when The s^d frances Brookes Came vnto Isack Iliue And Demanded Possetion of The s^d land And showed him The warrant The s^d Isack Iliue did giue The s^d Brookes free Possetion by goeing out of Doers : And further sayeth not

Tho : Ringgold

M^r Henery Morgon sworne sayeth

That About some fiue yeares since or There Abouts yo^r Dep^t was Desierd by fra : Brookes to goe Along with him to se if M^r Iliue would giue him possetion of Bever necke for the gouernor or m^r Clarke had sent vp a warrant vnto The Commissio^{rs} of kent to giue him quiet Possetion : soe yo^r Dep^t did Tell him That he would goe with him but he would not Medell with him in any such Thing : soe yo^r dep^t being Thare The s^d francis Brookes Rec^d sattesfaction : but whether or how he had Possetion he cannot say : Any further to the best of his knowledge

Hen Morgon

his signe

At A Court Proviencial holden for Kent the : 20th of July 1658

At th^e house of m^r Thomas Bradnox

p^rsnt Cap^t Josias Fendall Gouer^t
Phillip Caluart Esq^r secr :
M^r Nathanniall Vty w^{ch} Came in after Judgm^t past in Salters Case
Cap^t Rob^t Vaugan
M^r Phill: Connier of th^e Quor.
M^r Joseph Wickes
M^r Tho : Bradnox Comicon^{rs}
M^r Henry Morgan

July 18 John Salter Complaines against Against Thomas South in a Former sute dependinge in the
Provinciall Court & beinge now againe Arrested unto this Court, to make his defence to th^e plan^{ts}
pleay. war^t returnd 2 suppenes ret. & one for Tho : South

Elizabet th^e wife of Henry Clay sworne & Examined this 19 day of July 1658 saith

That some time about a yeare & halfe since th^t shee this depon together wth her husband beinge at the now
dwelling house of Tho : South on Beu^rnecke plantacon, Tho : Hinson & John Salter beinge allsoe there
p^rsent, the sd Thomas Hinson did there declare himselfe that he was to looke For timber on th^e sd plancon
to build wthall, on th^t Land, whereupon John Salter Forewarned him th^e said Hinson of Felling^e any
Timber there Ading^e Further th^t if euer th^t Land Came to bee his he would make him pay For it,
whereupon m^r Hinson his hands smiled, And Further saith not

Jurat Coru me

Eliz : Clay

Will Bretton Clk

Henry Clay swareth th^e same verbatim wth his wife in open Court

The deposition of Henry Cowrsey Aged 29 yeres or therabouts saith th^t in or About June 1654 as this
depon^t doth to the best of his Knowledge Remb, he beinge then at th^e House of M^r Tho : Bradnox upon
th^e Isle of Kent wthin this prouince of mariland, Francis Brookes did desire this depon^t to make a bill of
sale for John Salter of th^e Isle of Kent for a Tracte of Land wthin this Province, But where or in what p^t of
the s^d province this This Depon^t doth not Rememb, And Further this depon^t Knoweth not. Sworne this
3~ of oct. 1657 Henry Cowrsey Clk

Corum me Ric. Preston

The Deposition of Thomas South Aged 36 yeares or therabouts taken in Court 25th of AprilI 1655 sworne
Examined & saith

That about th^e middle of July last past Francis Brookes of Mariland Came to th^e place where yo^r depon^t
liued, & tould him th^t he had giuen John Salter posescon of Beuer necke, and upon th^t posion giuen, your
Depon^t came there to lue as Copartner in the Planta wth th^e s^d Salter And Further saith not

M^r Tho Ringgold sworne in Court saith

That yo^r Depon^t was requested by Francis Brookes some Fower or Fiue yeares since to goe wth him vnto
Beuer necke : For the Gouer^t had sent a war^t vpp unto th^e Comiss^{rs} of Kent, to giue th^e said Francis
Brookes posion of that Land afore menconed, But your Depon^t cannot verie well rememb whether it was
From Cap^t Stone or m^r Clarke & to the best of yo^r Depon^{ts} remembranc when th^e s^d Francis came unto
Isaacke Iliues And Demanded posion of the s^d Land, and showed him the war^t & th^e sd Iliue gau^e the s^d
Brookes possesscon by goeing out of doores & did giue him Free possesscon

Tho : Ringgold

p me W^m Leedes Clk.

This is to testifie to whom It may concerne, That Francis Brooke of this province did pas a bill of sale For a plantacon Called Beuer Necke unto John Salter, w^{ch} bill of sale I haue seene, & allsoe heard Francis Brooke confesse th^e same, For Truth whereof I haue herunto subscribed Kent 8th 4th mo : W^m Fuller

The Deposition of m^r Tho : Bradnox Aged 58 yeres or there abouts taken in Court sworne Examined saith

That some time in July 1654 John Salter desired yo^r Depon^t & Roger Baxter to witsesse to an Agree^t for A plantacon th^t John Salter Bought of m^r Fr. Brookes of Mariland, w^{ch} Plantcon is Comonly Called by the name of Beuer necke, upon th^e Isle of Kent & their bargaine and agreem^t was as Followeth. That th^e afores^d Brookes was to giue & deliuer unto the afores^d John Salter peacable and quiet possession of th^e afores^d plantacon, & to giue him a good suffittient Consideracon for th^e sd Land, and that he would likewise defend & saue harmelesse the Fore sd Salter his heires or Assignes For euer, From all psons what soeuer that should by any Title or clame molest disturbe or disquiet th^e sd Salter his Exc^{cs} or Assignes in his peacable or quiet possescon & enioym^t of the afore s^d plantacon ; In consideracon of th^e afore sd agreem^t of th^e afores^d plantacon, well & trully to be pformed by th^e sd Brookes, th^e sd John his Exc^{cs} or Assignes was to pay unto th^e sd Brookes his Exc^{cs} or Asignes 3000^{lb} of good Condiend Tob. & Caske, w^{ch} some of Tob was to be payd 1500^{lb} of Tob. after th^e sd Salter had posest the plantacon in manner & forme as afores^d one yeare, w^{ch} was to be in the yeare 55, & th^e other 1500^{lb} of Tob in the yeare 1656. this was the Full agreem^t betwixt them, & Further saith not

Jurat Corum me
Phill : Conner.

Tho : Bradnox
his signe

The deposition of Roger Baxter, Aged 46 yeares or there abouts taken in p^rsence of th^e Court, Saith

That the sd Baxter doth afferme the same that is in m^r Bradnox oath verbatim and Further saith not.

Jurat Corum me
Phill Conner

Roger Baxter
his signe

M^r Henry Morgan sworne in Court saith

That about some 5 years since or therabouts yo^r Depon^t was desired by Francis Brookes to goe alonge with him to see if m^r Iliue would giue him poscon of Beuer necke for th^e Gou^r or m^r Clarke had sent up A war^t unto th^e Comicon^{cs} of Kent to giue him quiet possion soe yo^r depon^t did tell him th^t he would goe with him, but he would not medle wth him in any such thing soe yo^r depon^t beinge there th^e said Fran : Brookes recd satisfac, but whether or how he had possessco he cannot say Further, to the best of his Knowledge

Hen: Morgan
his Marke

Vera Copia:

p me Wm Leedes Clk

The Deposition of m^r Tho : Bradnox Aged 58 yeares or therabouts, sworne examined saith Sep^t 16th 1657

That about three yeares last past, Isacke Iliue did acknowledge in this depon^{ts} house That Cap^t Stone did pswade m^r Francis Brookes of Mariland to let th^e sd Iliue Enioy th^e Plantacon th^t was upon th^e Isle of Kent, That is th^e sd Brookes his prop^r right in Consideracon th^t th^e sd Iliue had Built A pretty House upon th^e fore sd plantacon Comonly Called Beuer necke, And th^t th^e sd Iliue did Acknowledge th^t he was to pay to th^e sd Brookes For Acknowledgm^t for one yere A Case of sacke, & Further saith not. Tho : Bradnox

Jut. Corum me.

his marke

Phill. Conner

M^{rs} Mary Bradnox th^e wife of Tho : Bradnox afore sd affirms th^e same wth her husband Virbat. upon her oath & Further saith not.

Jurat Corm me

Mary Bradnox

Phill. Conner

...

To the Right Hon^{ble} Gouver^r & Councell of th^e Province of Mariland &c :

The Humble Peticon of John Salter Sheweth

That whereas this pet^r agreed & barganed wth francis Brookes of Mariland sometime in july 1654 for A plantⁿ comonly Called by th^e Name of Beuer Necke, And after this pet^r had receiued peacable & quiet posion of th^e sd Land & did in like maner enioy th^e same for th^e space of Fowr or Fiue moneths, And Isaacke Iliue beinge then resident likewise upon th^e sd plantac by th^e p^mition & desire of th^e sd Brookes upon this Agreem^t with this peti^r for th^e said Land, desired this peti^r th^t th^e said Iliue might not be molested in th^e Finishinge of his Cropp th^t he had planted th^t yeare upon th^e plantacon afore s^d, w^{ch} your Peti^r did willingly agree unto : But soe it was th^t th^e sd Iliue at oct. Court in th^e yeare afore s^d Commenced a suite of Law Against th^e afores^d Brookes For his unjust molestacon of th^e s^d Iliue upon th^e sd Plantac p^tending A Right, & Title there unto w^{ch} th^e s^d Brookes through his obstinance, or willfullnesse, or dislike to th^e then p^resent Gouvernm^t in hopes & Expectacon of A suddaine alteracon there of, or for what other Causes or reasons I Know not, But the s^d Brookes would not make any defence, or pleay against th^e s^d Iliue by w^{ch} meanes th^e sd Iliue obtained an order From th^e sd Court, to recouer his damages of any th^t had molested him in his p^tended title to th^e sd Land w^{ch} this pet^r beinge p^resent at th^e said Court exhibited a Bill of sale th^t he had of th^e s^d Brooks For th^e afores^d Land, w^{ch} th^e said Brookes did not disowne But did Freely Acknowledge th^e same, And did declar That he did not thereby uniously molest th^e sd Iliue & Further the sd Iliue prosicuted this pet^r in th^e Action or suite afores^d at the next Court holden For Kent where yo^r pet^r was Cast in th^e sd Action By w^{ch} yo^r pet^r was Disposest of his plant & ordred to pay th^e Charge of th^e foresd suite w^{ch} did Amount unto 747^{lb} of Tob & Caske, And notwthstandinge all th^e aforesd pceedings, yo^r pet^r is able to proue, th^t th^e sd Iliue had noe other Just Title unto th^e aforesd Land, But mayd use thereof only by p^mition of th^e sd Brookes, & Rent paid by th^e said Iliue unto th^e sd Brookes for th^e sd Land, for one yeare According to Agreem^t, By w^{ch} pceedinge It appeares th^t th^e sd Iliue by his p^tended Title & his Illegall pceedings, hath most uniously molested & disposest yo^r pet^r of his Just Right & Intrest to th^e s^d Land, And that likewise m^r Tho : South who hath bought th^e p^tended title of th^e sd Iliue, or any other th^t are now posest of th^e s^d Land ware not unacquainted with th^e damage & great sufferings of yo^r pet^r & his Just title unto th^e said land, doe not onely Keepe Posescon thereof and haue mayd use of the same for their profit & Aduantage fro th^e 25th of Aprill, wthout any Consideracon or Composicon, mayd wth yo^r pet^r But haue on th^e Contrary used all wayes & menes, most Illegally and uniously to Circumuent & Defeate yo^r pet^r For euer of his Just clame & Title there unto, And as yo^r pet^r doth humbly Conceiue, may be found Contrary & repugnant to Law in such Cases p^{vi}ded, For th^e now possessers of th^e sd Land, Knowing It to bee suffitiently proued, th^t th^e forsd p^tended Title of th^e sd Iliue to bee of noe vallue, haue Applied th^m selues, And pswaded th^e said Brookes to purchase from him if possible they might some better title, allthough they knew & ware Acquainted wth th^e afores^d Bargaine & sale, th^t th^e said Brookes mayd of th^e s^d Land, unto yo^r pet^r yet haue they p^vajled wth th^e s^d Brookes to make a second sale thereof unto them, as will Appeare by A deed of sale th^t hath beene priuately Entred upon th^e Record of Kent bearinge date 26th of Sept 1656 w^{ch} Illegall & uniuist Actions of purpose to Beguile & utterly to Defeate yo^r pet^r of his Just Right & Intrest to th^e Plantacon afore said.

The p^rmices Considered Your Pet^r humbly Craues this Hon^{ble} Court to grant order, th^t yo^r pet^r may be reposest wth th^e aforesd Land soe farr as It may appeare wth Law, Equity, or Justice, to be yo^r pet^rs Right, And th^t th^e aforesd Iliue or South, or any other, th^t haue by any uniuist or Illegall wayes or menes beene th^e occation of yo^r pet^rs disposition or detention of his just Right & Title from him may bee likewise ordered by this Court to pay such Cost and damage As yo^r pet^r can justly prone th^t hee hath sustained, either by their uniuist molestacon or possescon or illegall detencon of th^e afore sd Land and pay Cost of suite And as in Duty bound yo^r Pet^r shall euer pray &c.

Elizabeth Clay sworne 19th day of July 1658 upon Interogatiues w^{ch} are Annexed hereunto

To th^e first Interrogatory shee Answareth affirmatiuely

To th^e second th^t Francis Brookes, m^r Morgan & m^r Ringgold were there, shee answareth allsoe affirmatiuely.

To th^e 3^d whether Iliue gaue posion or noe, shee knoweth not But saith th^t Fran : Brookes demanded poseⁿ.

To th^e 4th Concerninge Iliues answar, shee remembreth not, only th^t th^e s^d Iliue denied him posion

Eliz : Clay : her marke

That About 6 or 7 yeares since whether or noe you ware not At th^e house of Isacke Iliue all th^t time th^t Francis Brookes & m^r Morgan & m^r Ringgold was there & whether th^e s^d Iliue did in th^t time giue th^e said m^r Brookes Posion : And allsoe to declare what m^r Iliues answar was to th^e s^d m^r Brookes.

John Salter Plt.
Tho : South Deft.

The Plantife demands th^e Plantacon upon Beuer Necke Formerly belonginge to John Greffam & Forfited to th^e Lord propriatory : by his Rebellion & Treason, And produces a spetiall war^t Fro his Lor^{ps} to th^e Gouer^r bearinge date th^e 26th August 1651 to passe a grant of th^e s^d plantacon to th^e s^d Brookes, From whom th^e s^d Salter deriueth his Title by Convayance. The Deffend^t alledges he hath a Convayance from Isacke Iliue who was possessed of th^e s^d Land by vertue of A war^t upon the Condicons of Plantacons granted by Cap^t Stone, & th^t A Cirtificat of survey was thereupon returned 18th August 1650 whereupon they Joyne Issue.

Therefore It is Considered by th^e Court th^t th^e war^t pleaded by th^e deffend^t Could not by vertue of any Conditions of plantacons be surveyed upon any Land Formerly escheated to his Lor^{ps}. The Court doth therefore Judge that th^e Land Convayed by Brookes to th^e Plant. bee by the Shirriffe put into his possessco & that th^e Defendent pay to the Plantiu, Fiue thousand Fowr hundred forty & Fower pounds of Tob. ouer and Aboue all Officers Fees incurred in this suite, And to provide th^e plantiu Conuenient housinge for him selfe, his wife & goods to be in wthin ten dayes, But th^t th^e said Tho : South & Thomas Hinson shall remaine on th^e s^d Plantacⁿ wthout molestacon of th^e plantf till th^e Crop be throughly cured & Finished.⁸⁰

Archives of Maryland, Volume 557, *Kent County Court, Proceedings, 1676-1698* (2003) pp 14–15:

Know all men by these p^rfents That I Mark Benton in y^e County of Kent Plant^r have made & ordained & Confituted And in my stead & place putt and Deputed And by these p^rfents Doe make ordaine Confitute and in stead and Place putt & Depute John Meggifon of y^e Isle of Kent Plant^r in y^e Province of Maryland My true & Lawfull Attorney for me & to y^e use of Isaac Ilive of London Vintener To alke requier & sue for Recover and Receive all & every sum and sums of mony Debts Dues Accom^{ps} goods Wares comodities Merchantdize demand thing and things what fo ever now or any time Hereafter to be Due oweing or in Any wife unto y^e s^d Isaac Ilive by any meanes or waies What fo ever by or from any perfon or perfons what fo ever in Maryland Aforel^d or any Partt or Parts thereof & to have Use proficute And take all waies and meanes In my name or other wais in Law or equity or other wais For the same to Recover be it by Action suite Arreft Destres Prosecutting to Judgment or suing out execute Bill Plant Imprefment or otherwise howsoever And also to Compound Agree for the same or Any Partt thereof & to Discharge Releafe out of Prifon Any Perfon or Perfons to be Arrested or Imprifoned or taken in Executio About y^e s^d p^rmises or any Partt thereof And acquitances releaces & other Difcharges for me & in my name To Make seale and Deliver & to Acknowledg satisfaction upon Record or otherwise for y^e same In any Courtt or Place whatfoever And to Do all other acts or things what fo ever Concerning the p^rmises y^e As fully in every Respectt as I my selfe might or Could Doe if I were perfonally p^rsent And I the s^d Mark Benton Doe hereby Ratifie and Confirme and hold stable all & what fo ever my s^d Attorney shall Doe in these p^rmises By

⁸⁰ See also Archives of Maryland, Volume 41, *Proceedings of the Provincial Court of Maryland (3) 1658–1662* (1922) pp 105–11.

Vertue of these p^rsent In Witnefs whereof I have here unto sett my hand & seale this 26th of febr^y 1676 In
the 2^d yeare of Charles his Dominion

Scaled & Delivered in
y^e Prefence of
Benja : Randall
Edward Leach

Mark Benton
Vera Copia Test
Benja Randall Clarke