

damages. Relief of the same kind is sought against the other defendants, both of whose rights, if any, derive from Langworthy. Preliminary injunction was entered and it remained in effect for several years until the case was tried on the merits in May, 1966. Judgment to be entered will refer only to Langworthy, but under Rules of Civil Procedure 63 will ^{conclude} ~~include~~ the others. Hereafter, reference to "defendant" will mean Langworthy only.

JB
8/3/66

Defendant filed his answer and cross bill, denying that plaintiffs had a right of way across the property involved, praying that plaintiffs be enjoined from entering and parking automobiles upon it, and seeking damages.

On March 21, 1924, Albert Langworthy, defendant's grandfather, deeded to John J. Dunn and William D. Dolan a sizeable parcel of land lying northerly of Weckapaug Branchway and Pond, and westerly of Weckapaug Road. The grantor sold to Dunn and Dolan for development purposes, and defendant here was familiar with that transaction and the stated purpose.

Plaintiffs' Exhibit "6" is a copy of the 1924 deed and it contains conveyances of two rights of way, the second being involved here, the first now being Cove