Adventure lying and being in the County aforesaid with the appurten-
-ances as located by the aforesaid Thomas Loveland lessee of the afore-
-said William Partridge and John Partridge (except what is included
in Ruxton's Range and Howells Point granted Howell Powell as located
by the aforesaid Thomas Colegate and Job Ganetson on the platts returned
in this Cause so as aforesaid by the Jurors aforesaid found, and that
he have thereof possession against the aforesaid Thomas Colegate
and Job Ganetson, and that the said Defendants bein Mercy &c.

Memorandum, The above Judgment is made subject Nevertheless
to the Court opinion on the following point saved to wit —

William Partridge and John Partridge's Lessee vs Thomas Colegate and Job Garretson — } It is agreed that Daubney Buckler Partridge the father of the Lessors of the Plaintiff duly executed his last will and Testament annexed, and that William and John Partridge the said Lessors, and William and John Partridge in the said Will mentioned are the same persons and that the land mentioned in the said Will by the name of Thomas's Adventure and the land for which this Ejectment is brought is the same land and that the Lessors of the Plaintiffs derive their title under the said Will to the lands for which the said Ejectment is brought and that the said Daubney Buckler Partridge did die sessed of the lands called part of Good Luck, Thomas Range and the Globe land, and the Verdict of the Jury if given for the plaintiff in this Cause is to be subject to the Opinion of the Court upon this Case stated whether the Lessors of the Plaintiff in this Ejectment are entitled to recover upon this title and if the Court should be of opinion that the Lessors of the Plaintiff have not such a title as is sufficient to support this Ejectment then Judgment to be given for the Defendant —

Luther Martin for Defendant —
W. Cooke — for Plff —

Whereupon for that the Court here are not advised to give their Judg-
-ment of and upon the premises aforesaid day therefore is given to
the parties aforesaid to hear their Judgment of and upon the premises
until the second Tuesday of October next before the Judges of our Gen-
Court here because the Court here thereof not yet &c. — And now here
at this day to wit, the said second Tuesday of October being the

eighth day of the same Month Anno Domini seventeen hundred and
Ninety three comes again here into our General Court as well the
aforesaid Thomas Loveland lessee of the aforesaid William Partridge
and John Partridge by his Attornies aforesaid as the aforesaid Thomas
Colegate and Job Ganetson by their Attorney aforesaid. Whereupon
all and singular the premises being by the Court now here seen
and fully understood and mature deliberation being thereupon had
for that it seems to the Court here that the Law arising on the
matter in the point saved aforesaid is with the Plaintiff.

Therefore it is considered by the Judges here that the aforesaid
Thomas Loveland lessee of the aforesaid William Partridge and
John Partridge recover against the aforesaid Thomas Colegate
and Job Ganetson his term aforesaid yet to come and unexpired
of in and unto All that part of the tract or parcell of land afore-
-said called Thomas's Adventure lying and being in the County
aforesaid with the appurtenances as located by the aforesaid
Thomas Loveland lessee of the aforesaid William Partridge and
John Partridge (except what is included in Ruxton's Range and
Howells point granted Howell Powell as located by the aforesaid
Thomas Colegate and Job Garretson on the platts returned in this
Cause) so as aforesaid by the Jurors aforesaid herein before found
And that he have thereof his possession against the aforesaid
Thomas Colegate and Job Ganetson, and that the said Thomas
Colegate and Job Garretson be in Mercy &c. — And it is also consider
-ed by the Court here that the aforesaid William Partridge and
John Partridge Lessors of the aforesaid Thomas Loveland recover
against the said Thomas Colegate and Job Ganetson the quantity
of pounds of Tobacco by the Court
here into the aforesaid William Partridge and John Partridge —
Lessors of the aforesaid Thomas Loveland on their absent adjudged
for their Costs and charges by them about their suit in this
behalf laid out and expended, and that they have thereof
their Execution &c. — Whereupon the aforesaid Thomas
Colegate and Job Ganetson by their Attorney aforesaid pray an
Appeal from the Judgment aforesaid so as aforesaid rendered
to the State of Maylands High Court of Appeals which is granted
them — It is therefore Ordered that the Record and proceedings
in the premises aforesaid be (and they are hereby) transmitted