May Term 1815

General Court this fifteenth day of May in the year of our Lord one thousand eight hundred and five and in the twenty ninth year of the Independence of the United States of America

(seal)

John Gwinn Clk. G.C.P.W.S.

The Plaintiff also offered in Evidence that the original Petition of the 6th of September 1763. is not in the hand David Ross Deceased nor is the same signed by him but that the said Petition is in the hand writing of Thomas Hodgkin then one of the writers or assistant Clerks in the Land Office. The Defendant then shewed and read to the Court and Jury a letter produced by the Plaintiff written by Thomas Hodgkin to the said David Ross the father dated the 31st of August 1763 with several marginal notes in the said letter in the hand writing of the said Ross the father in these words to Wit

Sir

I have received the five warrants Inclosed; you send me a titling for 500 acres and direct the location to be in two distinct places as I do not remember to have known different Locations in the same warrant except by renewment I must beg you to Excuse me for delaying the matter untill I have the Judges direction thereon Nothing further has been done with Mr Hladens certificates that I know of except those mentioned herein the Locations of which I insist at your request

David Ross Patent for 300 acres Pleasant Valley beginning by the name of at two bounded white oak trees standing Whitecak Ind near the river Bank about a mile below the mouth of Evers creek.

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Mr Hladens, 510 Acres The Cove beginning at a bounded white oak standing at the upper end of a bottom called the cove on the North side of the north branch of Potomack about six or seven miles above the upper old Town -

Mr Hladens 240 acres Hunt the hare beginning at a spanish or red oak standing on the Bank of Potomack river about three miles from the mouth of Mill creek -

Mr Hladens, 260 acres The Welchmans Conquest beginning at two bounded White oaks standing on the brow of a hill between a small road and a mountain to the Eastward of the trees - Those four Tracts have been assigned to Col George Mason and the Patents made out in his name tho not yet signed by the Governor Doctor Stewart is out of Town when he returns will immediately apply for his order in respect to the special warrant and if possible send it by your post tomorrow in the mean time shall note your application on this day so as the warrant may be in force from the 1st March Last I have dlr your patents to the bearer & am

Sir your most humble Servt

T Hodgkin

Annapolis 31st August 1763

The Defendant used the same to prove that the said Hodgkin acted as the Agent of the said David Ross the father and under his authority and that it was the act of entering a caveat on the 6th of September 1763 which prevented the said George Mason from obtaining a patent for the said land called Pleasant Valley at that time to Wit in September 1763. The Plaintiff further proved to the Jury that the original Dockets kept in the Land office with respect to caveats and the entries thereon and the proceedings relating thereto have been lost and that the caveats and proceedings in the Land Office respecting the dispute between Ross and Hladen in 1761 and 1762 have been Lost and cannot on the strictest Examination