of the plots and certificates thereto annexed together with the depositions taken before them which said depositions are herein before inserted whereupon for trying the issue aforesaid between the parties aforesaid it is ordered by the Court here that Twenty persons from the pannel of Jurors returned to the court here by the Sheriff of the County aforesaid be drawn by ballot according to the act of Assembly in such case made and provided and the said Twenty persons being so drawn by ballot and written of upon two lists one of which said Lists is delivered to the Counsel for the respective parties and the Counsel for each of the said parties having stricken out four persons from the said Lists the remaining twelve being called come To Wit Thomas Sweeting Nicholas Dubois Robert Macnell Vincent Talbot William Wallace Richard A Shipley Peter Bond Alexander Waters Jacob Miller Thomas Hutchins Peter Galt and John Hunter who being duly empannelled and sworn to say the truth in the premises upon their oath do say that the said Samuel Smith is not guilty of the Trespass aforesaid in manner and form as the said James Carrole and Sophia his wife have above against him complained whereupon the said James Carrole and Sophia his wife by their attornies aforesaid say that the Court here ought not to proceed to render judgment upon the said verdict And pray that judgment against them of and upon the said verdict by the Jurors aforesaid in form aforesaid given may be set aside and that the issue aforesaid may be tried anew by other Jurors to be a fresh Empannelled and file in Court here the following reasons To Wit

James Carrole & Sophia his wife vs Samuel Smith | Trespass

The Plaintiffs move for a new trial in this case for that the verdict is without Evidence and contrary to Evidence

Robert G. Harper Plff Atty.

Whereupon all and singular the premises being seen and by the Court here fully understood and mature deliberation being thereupon had for that it appears to the Court here that the said verdict is in no wise sufficient or Erronious and that the same ought not to be set aside and that no new trial ought to be had of the issue aforesaid Therefore it is considered by the Court here that the said James Carrole and Sophia his wife take nothing by their Writ aforesaid but be in mercy and so forth for their false clamour thereupon And it is further considered by the Court here that the said Samuel Smith recover against the said James Carrole and Sophia his wife the sum of one hundred and forty seven dollars & thirty five cents his request adjudged for his costs and charges by him in his defence in this behalf sustained and that he have thereof Execution and so forth Memorandum before the Jurors aforesaid withdrew from the bar of the Court here the said James Carrole and Sophia his wife by their attornies aforesaid tendered to the Court here their several Bills of exceptions which were by the Court here signed and sealed and are in form following To Wit

James Carrole &c vs Samuel Smith | In the Trial of this cause and to support the issue on his part the Plaintiff, having proved to the Jury that they are legaley Entitled in right of Sophia Carrole one of the Plaintiffs to Lot Number seven part of the Tract of Land called Swan harbour under a deed from Archibald Buchanan to John Pearce

This Indenture made this Twelfth day of April in the year of our Lord one thousand seven hundred and Eighty five Between Archibald Buchanan of Baltimore County of the one part merchant and John Pearce of the same place of the other part Witnesseth that the said Archibald Buchanan for and in consideration of the sum of fifteen hundred and Eleven pounds Current money to him in hand paid by the said John Pearce at or before the ensealing and delivery of these presents the receipt whereof he the said Archibald Buchanan doth hereby acknowledge and of every part and parcel there of for ever acquit Exonerate and discharge said John Pearce hath given granted bargained and sold alained released enfeoffed and confirmed and by these presents doth give grant bargain and sell alien release enfeoff and confirm unto him the said John Pearce his heirs and Assigns all that part of that Tract or parcel of Land called Swan harbour lying and being in the County of Baltimore aforesaid known and distinguished on the plat of said Land by the number seven containing one hundred and Twenty acres of Land a ship yard and whereon is now situate two dwelling houses two ..... houses built of Logs and a Blacksmiths shop in the tenure occupation and use of said John Pearce together with the premises thereon being and appurtenances thereunto belonging To have and to hold the said part of a Tract or parcel of Land and premises unto him the said John Pearce his heirs and Assigns for Ever to the only proper use and behoof of him the said John Pearce his heirs and Assigns for ever and to and for no other use intent or purpose whatsoever And the said Archibald Buchanan for himself and his heirs doth covenant to and with the said John Pearce his heirs and Assigns that he the said Archibald Buchanan and his heirs the above bargained and sold Land & premises unto him the said John Pearce his heirs and Assigns and every person or persons whatsoever claiming or to claim by from or under him or them shall and will for ever warrant and defend by these presents In Witness Whereof the said Archibald Buchanan hath hereto set his hand and affixed his seal the day and year first above written

Arch.d Buchanan (Seal)

signed sealed and delivered in the presence of Ja.s Hart Aud Buchanan Jr.

Received Baltimore 12th day of April in the year one thousand seven hundred and Eighty five of and from John Pearce the sum of fifteen hundred and Eleven pounds Specie being the full consideration money within mentioned to be by him paid me I say Received Arch.d Buchanan

Test Wm. Rafsell

Baltimore County ss. on this Twelfth day of April in the year one thousand seven hundred and Eighty five came before me the Subscriber two Justices