Dorsey Gough the sum of one thousand eight hundred and forty two pounds specie being the full consideration money within mentioned to be by him paid me I say received

Test Wm Russell — Archd Buchanan

Baltimore County Sct. on this Twelfth day of April in the year one thousand seven hundred and Eighty five came Before us the Subscribers two Justices of the peace for the County of Baltimore aforesaid Archibald Buchanan and acknowledged the within Indenture of Bargain and Sale or Instrument of writing to be his act and deed according to the true Intent and meaning thereof and the Act of Assembly in such case made and provided Acknowledged before Peter Shepherd Wm Russell

Received to be recorded 3rd day of June 1785 same day recorded and Examined per Wm Gibson Clk. And the defendant offered no Evidence to prove that the said Lots No 1 and No 7 or either of them were sold at any time or to any person at public sale or any Evidence that they or either of them were sold by a plot other than the circumstance that a plot and division of Swan harbour was made as aforesaid and that said plot and division was Exhibited at said public sale to the auctioneer and bidders and the other circumstance that in the deed Executed by the said Buchanan to the said Pierce for Lot No 7 pursuant to the said Bond of conveyance which deed is set forth in the first Bill of Exceptions the said Lot is described as all that part of Swan harbour known and distinguished on the plat thereof as Lot No 7 and other that the matters set forth in this and the preceding Bills of Exception and the Defendant offered no Evidence Except that stated in this and the preceding Bills of Exception in this case taken of the existance of the original plot of Swan harbour aforesaid nor of the manner in which the lines thereof were run or in which the said Tract was thereon divided into Lots nor of the lines and boundaries of these lots as therein laid down And thereupon the Defendant by his Counsel prayed the opinion of the Court and their direction to the jury that if the jury believe the sales of Lots No 7 No 3 and No 1 were made at public auction or at private sale by a plat the purchasers and those claiming under them have a right to hold the Lots according to the location which was made on the plat by which they were sold and that the Plaintiff to support his issue cannot give Evidence that the surveyor when running the Lots preparatory to the making out the plot by which the sale was made ran the divisionary or other lines different from the lines located on the plat which direction the Court gave whereupon the Plaintiff by his Counsel Excepted and prayed the Court to sign and seal this his Bill of Exceptions which is accordingly done this 23rd day of October 1812

Joseph H. Nicholson (Seal)
Theodorick Bland (Seal)

Whereupon the said James Carroll and Sophia his wife pray an Appeal from the judgment aforesaid so as aforesaid rendered to the next Court of Appeals to be held for the Western Shore of the State of Maryland and to them it is granted And thereupon it is ordered by the Court here that the record of proceedings aforesaid in the plea aforesaid be transmitted to the said Court of Appeals and the same is hereby Transmitted accordingly

Test Wm Gibson Clk

In Testimony that the aforegoing is a true Copy taken from the record of the proceedings of Baltimore County Court in the above mentioned cause.

I have hereunto subscribed my name and affixed the seal of the County aforesaid this fourth day of december in the year of our Lord one thousand eight hundred and Twelve. (Seal)

Wm Gibson Clk. Baltimore Coty. Ct

And now come into the Court of Appeals here as well the said James Carroll and Sophia his wife by Robert Goodloe Harper & Nicholas Brice their attorneys as the said Samuel Smith by Luther Martin & Thomas Kell his attorneys and thereupon on motion of the said Samuel Smith by his Attorneys aforesaid it is ruled by the Court here that the said James Carroll & Sophia his wife assign the Errors in the record of proceedings aforesaid or in the giving the Judgment aforesaid so as aforesaid brought Before the Court of Appeals here for correcting the Errors supposed to be therein or Judgment by the Court of Appeals here will be Entered against them in default thereof. And the said James Carroll and Sophia his wife by their Attorneys aforesaid says that in the record of proceedings aforesaid and also in the giving of Judgment aforesaid there is manifest Error in this To Wit that by the record aforesaid it Appears that the Judgment aforesaid in the plea aforesaid given was given for the said Samuel Smith against the said James Carroll and Sophia his wife when by the Law of the Land that Judgment ought to have been given for the said James Carroll and Sophia his wife against the said Samuel Smith therefore in that there is manifest Error and they pray that the Judgment aforesaid for that Error and others being in the record of proceedings aforesaid may be reversed annulled and held entirely as void and that they the said James Carroll and Sophia his wife may be restored to all things which they have Lost by occasion of the said Judgment and that the said Samuel Smith may rejoin to the Errors aforesaid and so forth And thereupon it is ruled by the Court of Appeals here that the said Samuel Smith join in the Errors by the said James Carroll & Sophia his wife above assigned in the Record of proceedings aforesaid or Judgment by the Court of Appeals here will be rendered against him in default thereof And the said Samuel Smith by his attorneys aforesaid prays that a day may be given to him to join in the Errors by the said James Carroll and Sophia his wife above assigned in the record of proceedings aforesaid until the Last Monday in