then north fifty degrees east sixty eight perches then south sixty four degrees east forty perches and then by a straight line to the beginning tree containing and now laid out for five hundred acres of land more or less according to the certificate of survey thereof taken and returned into our Land office bearing date the first day of June seventeen hundred and forty five and there remaining together with all rights profits benefits and privileges thereunto belonging royal mines excepted. To Have and To Hold the same unto him the said George Mason his heirs and assigns forever to be holden of us and our heirs of our manor of Calverton or Conigscheage in free and common soccage by fealty only for all manner of services yielding and paying therefore yearly unto us and our heirs at our receipt at our City of Saint Marys at the two most usual feasts in the year viz the feast of the annunciation of the blessed virgin Mary and St Michael the archangel by even and equal portions the rent of one pound sterling in silver or gold and for a fine upon every alienation of the said land or any part or parcel thereof one whole years rent in silver or gold or the full value thereof in such commodities as we and our heirs or such officer or officers as shall be appointed by us and our heirs from time to time to collect and receive the same shall accept in discharge thereof at the choice of us and our heirs or such officer or officers aforesaid provided that if the said sum for a fine for alienation shall not be paid unto us and our heirs or such officer or officers aforesaid before such alienation and the said alienation entered upon record either in the provincial court or County Court where the same parcel of land lieth within one month next after such alienation then the said alienation shall be void and of no effect. Given under our Great Seal of our said Province of Maryland this twenty fifth day of March anno Domini seventeen hundred and fifty six. Witness our trusty and well beloved Horatio Sharpe Esquire Lieutenant General and Chief Governor of our said Province of Maryland and Chancellor and keeper of the Great Seal thereof.

Horatio (The Great Seal) Sharpe

In Testimony that the aforegoing is a true copy from Liber G S No 2 folio 400 one of the records belonging to the Western shore Land office. I have hereto set my hand and affixed my official seal this 27th day of September 1815

(Seal)

John Brewer Regr Off WS.

It was admitted that the premises mentioned in the declaration are included in the said patent. The plaintiff also to support the issue joined in this cause on his part proved to the jury by Jacob Sogster and Michael Sogster competent witnesses in this cause that about the year one thousand seven hundred and ninety three a certain Benjamin Morris was in possession of the premises mentioned in the plaintiffs declaration and lived in the house thereon for about two years that the said Benjamin Morris is now dead that they heard the said Morris say that he purchased the same from Thomas Beall of Samuel that Benjamin Morris transferred said premises to a certain Hanson Briscoe that the said Hanson Briscoe had possession of said property two or three years and then exchanged it with a certain Thomas Clinton for other property about the year seventeen hundred and ninety eight when Clinton took possession of it that some few years afterwards said Clinton moved into the Country and rented the said property to a certain Jacob Isenhart who kept it one year as tenant of said Clinton as Clinton informed deponents, that the said Jacob Isenhart then left it and the said Clinton took possession of said property again and continued in possession thereof until the spring of eighteen hundred and seventeen when he rented it to John Kimberly the defendant. The plaintiff also proved by the said Michael Sogster that he heard the said Clinton say about four or five years ago that he was tenant to the plaintiff and was to pay forty dollars rent to the plaintiff for said premises that he borrowed some money from the Plaintiff and the Plaintiff was to have the said property until the money so received was paid with interest. The plaintiff also proved by the aforesaid Witnesses that they resided near the premises and were in the habit of seeing the same frequently as they resided in sight of the same and the premises aforesaid were kept in actual inclosure from about the year 1793 by the aforesaid residents thereon until the present day. The plaintiff also proved by John Gebhart a competent witness in this cause that in the month of July eighteen hundred and fourteen he as constable distrained the said Thomas Clinton for rent of said property at the instance of the plaintiff that the said Clintons property was sold by said John Gebhart to raise