now in dispute and contained within the Plaintiffs Pretensions on the said Platt hereunto Annexed was at the time of taking up and granting the said Land Cultivated But the Court refused such Evidence being given for the Purpose aforesd and admitted the said Grant to convey to the Plaintiff a Right to the said Lands To which Opinion the said Defendant by his Council Excepts and prays the Court to allow of this Bill of Exceptions by signing and sealing the same according to the form of the Statute in such Cases made and provided

Jn. Brice (Seal)

Whereupon the said Defendant by his Attorney aforesd prays an Appeal from the Judgmt. aforesd so as aforesd rendered to his Lordships high Court of Appeals and the same is granted upon giving Security according to Act of Assembly pr.a Thereupon the said Defendant files in Court here the following Appeal Bond Viz.t Know all Men by these Presents That We Thomas Reader Stephen Cawood and James Kleech of Saint Marys County Planters are held and firmly Bound unto Thomas Spalding of the same County Planter in the full and just sum of Twenty Thousand Pounds of good Sound Merchantable leaf Tobacco to be paid unto the said Thomas Spalding his Executors Administrators or Assigns to the which Payment well and truly to be made and done We do hereby Bind ourselves our Heirs Executors and Administrators and every of them Jointly and Severally firmly by these Presents Sealed with our Seals and Dated this twenty sixth Day of September 1751

The Condition of the above Obligation is such That if the above Bound Thomas Reader shall not pursue the directions of the Act of Assembly Entitled An Act for regulating Writs of Error and Granting Appeals from and to the Courts of Common Law within this Province at the next Court of Appeals ensuing to be held for this Province of Maryland and Prosecute with Effect his Appeal Granted from the Provincial Court of the said Province to the said Court of Appeals in an Action of Trespass and Ejectment lately depending in the said Provincial Court wherein the said Thomas Reader was Defendant at suit of William Thrustout Lessee of the said Thomas Spalding Plaintiff and also in Case the said Judgment shall be Affirmed well and truly pay and satisfy as well the Damages and Costs Adjudged to him the said Thomas Spalding by the same Provincial Court as also all Costs and Damages that shall be Awarded thereon by the same Court of Appeals then the said Obligation to be and remain in full force and Virtue otherwise of no Effect

Signed Sealed and Delivered in the Presence of Us.

Thos. Reader (Seal)
Stephen Cawood (Seal)
James Kleech (Seal)

Mev.l Lock
J. Ristead

It is thereupon Ordered that the Record and Proceedings in the Action aforesd be transmitted to the high Court of Appeals accordingly

Test. B. Burgess Clk

NB. H.P. Hbg. Isaac Lackland Lessee of James Kleech
a.
D.D. Thomas Broome

Maryland ss. Thomas Broome late of St Marys County Planter was attached to Answer unto Isaac Lackland of a Plea wherefore with Force and Arms pr.a into all that Tract or Parcel of Plantable Land called Iron Neck lying and being in the County aforesaid with the Appurtenances Containing Two hundred Acres of Land which James Kleech to him the said Isaac Demised for a Term not yet past he the said Thomas did enter and him the said Isaac from his Farm aforesd did Eject and other harms to him the said Isaac did to the great Damage of him the said Isaac and against the Peace of the Right Honble the Lord Propry. that now is pr.a

(And)

And Whereupon the said Isaac by Stephen Bordley his Attorney Complains that Whereas the aforesd James on the first day of November in the Year of our Lord Seventeen hundred and forty seven at Saint Marys County aforesd had Demised unto him the aforesd Isaac the said Premises with the Appurtenances thereunto belonging To have and Occupy the same Premises with the Appurtenances to him the said Isaac and his Assigns from the thirtieth day of October then last past until the full end and Term of Ten Years then next following fully to be Compleat and ended by Virtue of which Demise the aforesd Isaac into the Premises with the Appurtenances did enter and was thereof Possessed and the said Isaac so being thereof Possessed the aforesd Thomas afterwards to wit on the same first day of November in the Year Seventeen hundred and forty seven aforesd at Saint Marys County aforesd with Force and Arms pr.a into the Premises with the Appurtenances aforesd which the said James Kleech in form aforesd had Demised for the Term aforesd which is not yet past entered and him the said Isaac from his Farm aforesd did Eject and other harms to him the said Isaac then and there did to the great Damage of him the said Isaac and against the Peace of the Right Honble the Lord Propry. that now is pr.a whereby the said Isaac saith he is the worse and hath Damage to the Value of five hundred Pounds Current Money of Maryland and therefore he brings Suit pr.a

Pledges pr.a John Doe
Richd Roe

And the aforesd Thomas Broome by Daniel Dulany his Attorney Comes and Defends the Force and Injury when pr.a and takes Defence according to his Pretensions as they shall appear to be by him laid down on the return of a Warrant of Resurvey to be Sued in this Cause and enters into the Common Rule and prays leave to Imparle hereunto until next Court and he hath it and the same day is given to the Plaintiff also

At which said next Court to wit the 11th Day of Sept. Anno Dom. 1750. Comes again the said parties Plaintiff and Defendant by their Attorneys aforesd and the said Defendant by his said Attorney prays further leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also

At which said next Court to wit the 9th Day of April Anno Dom 1751 Comes again the said parties Plaintiff and Defendant by their Attorneys aforesd and the said Defendant by his said Attorney prays further leave to Imparle hereunto untill next Court and he hath it and the same day is given to the Plaintiff also

At which said next Court to wit the 10th day of September Anno Dom. 1751. Comes again as well the said Isaac Lackland Lessee of the said James Kleech by his Attorney aforesd as the aforesd Thomas Broome by his Attorney aforesd and the said Thomas Broome by his said Attorney as before defends the Force and Injury when pr.a and saith that he is not Guilty of the Trespass & Ejectment aforesd in manner and form as the aforesd Isaac Lackland Lessee of the said James Kleech above against him hath Complained and of this he puts himself upon the Country and the Plaintiff also

Whereupon for Trying the Issue aforesd Command is given to the Sheriff of Anne Arundel County that he immediately Cause to come here Twelve good and Lawfull Men of his Bailiwick by whom pr.a who neither pr.a to Recognize pr.a because as well pr.a of which Jurors Twelve pr.a as by his said Precept he was Commanded to wit Philemon Dorsey, Thomas Morgan, Thomas Baldwin, Benjamin Gaither, James Osborn, Benjamin Ott, David Patterson, William Daskiels, William Dare, Richard Sidgwick, James Emory & Gustavus Hanson who being duly Elected Tryed and Sworn to say the Truth in the Premises upon

(their)