said deposition was inadmissable in evidence, and refused to let the same be read to Jury: to which opinion and refusal of the Court, the Pltff prays leave to except. That the Court sign and seal this bill of exceptions, which is accordingly done this day of November 1826. Ch. M Hanson (Seal)

Rogers' Lessee vs Rating & Redding. | Ejectment. In the further trial of this cause, the Defendants, to support the issue on their part, read in evidence to the Jury, a patent for the tract of land called Deep Point located on the plat in this cause.

John Frazier's Patent 1 Acre. Deep Point. | Charles M. Know ye, that whereas John Frazier of Baltimore county, by his humble petition to our agents for management of land affairs within this province, did set forth that there was about the quantity of one acre of vacant land, lying and being in the county aforesaid, joining the south west side of Baltimore Town, and on a tract of land called Sins Lot, on the head of the north west branch of Patapsco, and close to a locust post, being a bounder of the said Baltimore Town partly outlocated; by means whereof, the petitioner conceived the same could not be taken up by a common warrant, therefore humbly prayed a special warrant to affect and secure it, and that on return of a certificate of such survey, he complying with all other requisites, might have our grant issued unto him thereon, which was granted him, and accordingly a warrant, on the second day of February seventeen hundred and forty nine unto him for that purpose did issue. In pursuance whereof it is certified into our Land office, that there is surveyed and laid out for and in the name of him, the said Frazier, one acre of vacant land for which rights were made good at the time of granting said warrant, according to Charles, Lord Baron of Baltimore, our Grand Father of noble memory, his instructions to Charles Carroll Esq. his then agent, bearing date at London, the twelfth day of September, seventeen hundred and twelve, and registered in our Secretary's office of our said province together with a paragraph of our instructions, bearing date at London, the fifteenth day of December, seventeen hundred and thirty eight, and registered in our Land office. We do therefore hereby grant unto him, the said John Frazier, all that tract or parcel of land called Deep point, lying in the county aforesaid, on the head of the north west Branch of Patapsco River, and joining the south west side of Baltimore Town, and on a tract of land called Sinn's Lot, Beginning at a bounded red oak tree standing near a bounded locust post, which post is the beginning bounder of Baltimore Town, and running thence south one degree east twenty two perches. North fifty three degrees east, nine perches, North seventeen degrees east, fourteen perches, and thence with a straight line to the beginning, containing and laid out for one acre more or less, according to the certificate of survey thereof, taken and returned into our Land office bearing date the twentieth day of February, seventeen hundred and forty nine, and the 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 John Frazier, his heirs and assigns forever, to be holden

of us, and our heirs, as of our Manor of Baltimore, 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 St 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 half penny 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 lyeth 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 twentieth day of February, Anno Domini, seventeen hundred and forty nine: Witness our trusty and well beloved Samuel Ogle Esquire, Lieutenant General and Chief Governor of our said province of Maryland Chancellor and Keeper of the great seal thereof.

Saml Ogle. (Seal) Chancr

In Testimony that the aforegoing is a true Copy from Liber B.Y. & G.S. No 3 folio 593. one of the records belonging to the Western Shore Land office of Maryland, I have hereto set my hand, and affixed my official seal, this 2d day of April 1825.

(Seal) John Brewer Regr L. Office W.S.

And then made title to the same tract of land, by sundry mesne conveyances through and under one Alexander Frazier. Whereupon the Plaintiff offered to read in evidence to the Jury a duly attested copy of the record of proceedings in an action of Ejectment, and of the plat and certificate of explanations therein instituted by the said Alexander Frazier against one Cornelius Howard and the said Cornelius Rogers, for the recovery of the same land called Deep Point, in the Provincial Court of Maryland, in the year 1772, in which the aforesaid tract of land is located as the claim and pretention of the Plaintiff in that action, for the purpose of showing and giving evidence by the said plat and explanations, that the said tract of land called Deep Point was then surveyed and located by the said Frazier in said suit, and claimed by him in his claim and pretentions as located in said suit, to be and exist in the same manner and position as the said land is located and shown to be on the plats in the present suit, by that location of said land, which is shaded blue, on the plats in this cause. The Pltff at the same time offering to prove by the Surveyor, who made and returned the plats in this cause, that the said location of the land aforesaid shaded blue, is transferred and made from the aforesaid location of the same land as shown and made on the plat