Signed sealed and delivered in presence of R. Welch of Ken. Shff (Seal)
R. I. Bowman, James Hunter.

Received this fifth day of December eighteen hundred and twenty five of Lancelot Warfield Esquire the sum of fifteen hundred and seventeen dollars and thirty seven and an half cents the amount of the purchase money in the aforegoing deed mentioned.

Witness R. I. Bowman. R. Welch of Ken. Shff

State of Maryland, Anne Arundel county to wit: On this fifth day of December in the year of our Lord one thousand eight hundred and twenty five personally appears Robert Welch of Ken Esquire Sheriff of Anne Arundel county before the subscribers two of the State of Maryland Justices of the Peace in and for said county and acknowledges the aforegoing deed or instrument of writing to be his act and deed and the lands and premises therein mentioned and thereby bargained and sold to be the right and estate of the said Lancelot Warfield his heirs and assigns forever according to the purport, true intent and meaning of the said deed or instrument of writing, and the acts of assembly in such case made and provided. Taken and certified the day and year above written, by R. I. Bowman, James Hunter.

Received the 5th day of December 1825 to be recorded, the same day recorded in Libr WSG No 11 folios 409. 410. 411. 412. 413. 414. 415 and 416 one of the land record books of Anne Arundel county and examined by Wm. L. Green Clk

Whereupon the Defendants prayed the court to instruct the Jury that the Plaintiff is not entitled to recover for the reasons following, amongst others. 1st Because it appears by said will that Lydia Gambrill is entitled to the use and possession of the property named in the declaration during her natural life she being a defendant in this case. 2d Because it is not proven in what manner Augustus Gambrill became possessed of either six sevenths or seven eighths of said property mentioned in the declaration. 3d Because it does not appear that Augustus Gambrill before or at the time of said sale could have maintained an ejectment for any part of said land. 4th Because the Lessor of the Plaintiff has given evidence of title no further back than the will of Augustus Gambrill. But the court instructed the Jury that if they believed the testimony so offered that the Plaintiff was entitled to recover as against Augustus Gambrill. To which instruction the defendant Augustus Gambrill by his counsel excepted and prays that the court will sign and seal this his bill of exceptions which is accordingly done this 29th of April 1828. Thos. B. Dorsey (Seal) Chas. I. Kilgour (Seal) J. D. Wilkinson (Seal)

Test. Wm. L. Green Clk

Afterwards to wit, on the twelfth day of May in the year of our Lord one thousand eight hundred and twenty eight the said Augustus Gambrill by his attorney aforesaid produced the writ of the State of Maryland for the correcting of errors of and upon the judgment aforesaid directed to the Judges of the third Judicial District in the words and of the tenor following to wit:

Maryland Ss. The State of Maryland. To the Honorable the Judges of the third Judicial District Greeting. Because in the record and process, and also in the rendering of judgment for possession of all those two tracts or parcels of plantable land called "Friendship" and "what you please" containing five hundred acres, and one cent current money, and costs in a certain action of ejectment brought by Lancelot Warfield's Lessee against Augustus Gambrill in

Anne Arundel county court, at a county court held before you our said judges at April Term 1828, manifest error as it is said hath happened to the great damage of the said Augustus Gambrill as of his complaint we have received. And we being willing that the errors, if any there be, should be duly corrected, and full and speedy justice done to the said Augustus Gambrill in this behalf command you, that if judgment be thereof rendered, that then the record and process aforesaid, with all things thereunto relating under your seals, distinctly and openly you send, and this writ, so that the same may be had before the Judges of our High Court of Appeals at the City of Annapolis, on the second Monday of June next, that the record and process aforesaid being inspected into, we may further do therein for correcting that error which of right, and according to the laws and customs of this State, may be done. Witness the Honorable Theodorick Bland, Chancellor this 12th day of May eighteen hundred and twenty eight. Test. Ramsay Waters Regr. Cur.

In pursuance whereof and according to the form of and effect of the act of assembly in such cases made and provided, a transcript of the record of proceedings of the judgment aforesaid and all things thereunto relating, with the writ of error aforesaid annexed, we hereby transmit to the said court of Appeals. Test. Wm. L. Green Clk

Maryland Ss. I hereby certify that the aforegoing transcript is truly taken from the record of proceedings of Anne Arundel county court. In testimony whereof I hereto set my name and affix the seal of Anne Arundel county court this twelfth day of May in the year of our Lord one thousand eight hundred and twenty eight (Seal)

Wm. L. Green Clk A. A. Coty Cot.

And now come into the court of Appeals here, as well the said Augustus Gambrill by Joseph Id Speed and Ronaldy Johnson his attornies, as the said Richard Fenn Lessee of Lancelot Warfield by Alexander McMaguian and James Shaw his attornies: and thereupon, on motion of the said Richard Fenn Lessee as aforesaid by his attornies aforesaid, it is ruled by the court here that the said Augustus Gambrill 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 him in default thereof: And the said Augustus Gambrill by his attornies aforesaid, says that in the record of proceedings aforesaid, and also in the giving of judgment aforesaid, there is manifest error in this court: that by the record aforesaid it appears that the judgment aforesaid in the plea aforesaid given, was given for the said Richard Fenn Lessee as aforesaid against the said Augustus Gambrill when by the law of the land that judgment ought to have been given for the said Augustus Gambrill against the said Richard Fenn Lessee as aforesaid therefore in that there is manifest error: and he prays 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 he the said Augustus Gambrill may be restored to all things which he hath lost by occasion of the said judgment, and that the said Richard Fenn Lessee as aforesaid may reply to the errors aforesaid and set forth: And thereupon it is ruled by the court of Appeals here, that the said Richard Fenn Lessee as aforesaid join in the errors by the said Augustus Gambrill 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 Richard Fenn Lessee as aforesaid by his attornies aforesaid, prays that a day may be given to him to join in the errors by the said Augustus