Baldwin Dennis Duvall and Henry Tolson, who being empannelled and sworn to say the truth in the premises. Whereupon for certain reasons as well to the Court here, as to the parties aforesaid appearing the said William N. Dorsett one of the Jurors of the Jury within mentioned, from the pannel aforesaid is withdrawn by consent of the said parties and by order of the Court here, and the rest of the Jurors of that Jury are wholly discharged from giving any verdict of and upon the premises within mentioned. - Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties and their attornies aforesaid and by order of the Court here is continued till the first Monday of April next. At which mentioned first Monday of April being the first day of the same month in the year of our Lord one thousand eight hundred and thirty nine, and the day until which this cause was further continued, come again into the Court here as well the said parties aforesaid by their attornies aforesaid - Thereupon further process of and upon the premises aforesaid between the parties aforesaid by consent of the said parties by their attornies aforesaid and by order of the Court here is further continued till the second Monday of October next - And now here at this day to wit, the second Monday of October being the fourteenth day of the same month in the year of our Lord one thousand eight hundred and thirty nine and the day until which this cause was further continued come again into the County Court here the parties aforesaid by their attornies aforesaid. Whereupon for trying the issue aforesaid above joined between the parties aforesaid it is ordered by the Court here that twenty persons from the pannel of petit Jurors returned to the Court here by the sheriff of the County aforesaid be drawn by ballot according to the directions of the act of Assembly in such case made and provided; and thereupon the twenty persons being so drawn by ballot and written upon two lists, one of which lists is delivered to the counsel of the respective parties and the counsel for each of the said parties having stricken out four persons from the said lists; thereupon the remaining twelve persons being called come that is to say - Samuel L. Brooke Samuel Sheriff Joseph B. Hill James Taylor Joseph N. Baden Samuel Peach James C. Carter Enos D. Ferguson Richard B. Mullikin Thomas P. Turner Thomas S. Martin and Thomas M. Robinson who being empannelled and sworn to say the truth in the premises upon their oath do say that the said defendant is not guilty of the trespass and ejectment aforesaid in manner and form as the said Godfrey Goodtitle, lessee of the said Richard W. Isaac and wife hath alleged - Therefore it is considered by the Court here that the said Godfrey Goodtitle lessee of the said Richard W. Isaac and wife take nothing by his declaration aforesaid but that he for his false clamour be in mercy &c. and that the said defendant Caleb Clarke go thereof without day &c.

And it is also considered by the Court here that the said Caleb Clarke recover against the said Godfrey Goodtitle lessee of the said Richard W. Isaac and wife, the sum of one hundred and fifty three dollars and twenty cents by the Court here unto him the said Caleb Clarke on his assent adjudged for his costs and charges by him about his defence in this behalf laid out and expended and that the said Caleb Clarke have thereof his execution &c. -

Test, John B. Brooke, Clk.

Memorandum - Before the Jurors aforesaid withdrew from the bar of the Court here the said Godfrey Goodtitle lessee of the said Richard W. Isaac, and wife by his attornies aforesaid files in Court here the following bills of exceptions to wit:

"Isaac and wife vs. Clarke.

1st Exception - During the trial of this cause after the Jury were empannelled and before the case was argued to the Jury and before the several bills of exceptions taken in this case were signed by the Court it was discovered for the first time by the plaintiffs counsel that the defendant Caleb Clarke had conveyed the lands in controversy to a certain Richard Peach by deed bearing date the thirteenth day of November 1829, as follows. -

"This Indenture made this thirteenth day of November in the year of our Lord eighteen hundred and twenty nine between Caleb Clarke of Prince George's County in the State of Maryland of the one part and Richard Peach of the same County and State aforesaid of the other part witnesseth that the said Caleb Clarke for and in consideration of the sum of one thousand dollars current money of the United States to him in hand paid by the said Richard Peach at or before the sealing and delivery of these presents the receipt whereof the said Caleb Clarke doth hereby acknowledge and from every part and parcel thereof doth hereby acquit exonerate and discharge the said Richard Peach his heirs executors and administrators hath granted bargained sold aliened enfeoffed and confirmed and by these presents doth grant bargain sell alien enfeoff and confirm unto the said Richard Peach his heirs and assigns all those tracts or parts or parcels of land lying and being in Prince George's County aforesaid being part of a tract called and known by the name of Burgess Delight part of a tract called Hickory Thickett and part of a tract of land called Clarkes Fancy beginning for the part of the said tract called Burgess Delight at the end of one hundred and thirty nine perches on the first line of the whole original tract called Burgess Delight and running by and with the first line of the said original tract as follows north twenty three degrees, and thirty minutes east one hundred and fifty six perches to Patuxent River the place shewn as the second boundary of the aforesaid original tract of land called Burgess Delight and of by and with the west side of the aforesaid Patuxent River as follows to wit, north nineteen degrees and thirty minutes west eight and a half perches north ten degrees and thirty minutes west fifteen perches north eight degrees and fifteen minutes east thirteen perches to the mouth of Green's Branch, north seventy two degrees and fifteen minutes, east nine and a half perches, south forty three degrees east three and three quarter perches, then leaving said River north thirteen degrees east ninety seven and a half perches to a bounded white oak a boundary of said original tract and by and with part of the third line of said original tract south fifty six degrees and fifteen minutes west two hundred and forty perches to the first dividing line between the said Caleb Clarkes part of said land called Burgess Delight, and Doctor James Macgill's part of said tract, and by and with said dividing line as follows to wit, south thirty degrees east seventy perches and by and with the second, and last line of division of the said Caleb Clarke, and Doctor James McGill to the first beginning at the end of one hundred and thirty nine perches on the first line of the whole original tract containing one hundred and forty eight, and one eighth acres more or less - And beginning for the part of the said tract of land called Hickory Thickett at a bounded stone and running thence south by west forty seven perches to Burgess Delight and by and with part of said tract, south west by west one hundred and ninety one perches to the first dividing line (as run from a stone