to the said Commission before Edgar Snowden, Esq.r a Justice of the peace for the County and District aforesaid I proceeded, at the instance of the plaintiffs in the aforesaid suit to take the testimony of Samuel Collard a competent witness, by reading to him each and every of the annexed interrogatories after having previously sworn him, by virtue of my power as Commissioner on the Holy Evangely of Almighty God, true and perfect answers to make, to such interrogatories as should be put to him in said cause and therein to testify the truth, the whole truth, and nothing but the truth in said cause. And I do hereby further certify that his testimony was truly taken down, and written out by me, as given by him, the said Samuel Collard, in answer to the said interrogatories - and that the said answers so taken down, are herewith truly returned, to your Honble. Court as stated in the accompanying paper purporting to contain said answers of said Samuel Collard, I do hereby further certify, that, in consequence of the non-attendance of other witnesses required by the said plaintiffs, and at the said plaintiffs request, I then and there postponed and continued the further execution of the said commission, until the seventeenth day of July in the year, one thousand eight hundred and forty one, between the hours of nine o'clock in the morning and six o'clock in the afternoon of that same day (July 17th 1841) when, I then and there gave notice I would at the same place, that is to say, at my said office in Alexandria in the County and District aforesaid, proceed in the farther execution of the said Commission; at which last mentioned time and place I proceeded, at the instance of the plaintiffs to take the testimony of General John Mason, after having previously sworn him on the Holy Evangely of Almighty God true and perfect answers to make to all such interrogatories as should be put to him in said cause, and therein to testify the truth, the whole truth, and nothing but the truth; and I do further certify that the said annexed interrogatories were then, and there, on the said 17th July 1841 - and at my said office put to him, the said John Mason, and that his answers to the same are fairly and truly written down by me, as stated in the accompanying paper, purporting to contain said answers; and that I then, and there closed the said Commission neither party offering any further testimony or interrogatories; and I do hereby further certify that I was paid by William Darrell, one of the plaintiffs Lessors the sum of twenty dollars for two days services as Commissioner aforesaid - All which proceedings together with the notice and commission aforesaid I herewith return enclosed to your Honorable Court under my hand and seal this seventeenth day of July in the year, one thousand eight hundred and forty one.

(Com.s Fee 20$) B. Hooe, Comm.r (Seal)

To the whole of which ~~of which~~ evidence as above offered the defendant objects but the Court overruled said objection and permitted the deeds aforesaid and will to be read in evidence so far as they purport to convey or devise the tracts of land called

Wicksall and Aspinalls Hope, is located by the patents thereof on the plats in this cause and the Court allowed all the other evidence so offered to be given in evidence and upon the said evidence so admitted the Court instructed the Jury as follows, that if the Jury find from the evidence aforesaid, that the said Geo. Mason, the above testator and those claiming under him were in the exclusive uninterrupted and adverse possession of the said tracts of land called Wicksall and Aspinalls Hope, from the date of said deed from Moss to said Mason claiming under said deed, down to the year 1824 then the Jury may and ought to presume regular conveyances from the original patentees of said tracts of land to the said Geo. Mason and his heirs — to the admission of which said evidence, and the giving of which said instructions, the defendant excepts -

John Stephen. (Seal)
Edmund Key. (Seal)
Clement Dorsey. (Seal)

"Brooke's Lessee vs. Budd -"

10th - Bill of Exception - At the trial of this cause, the plaintiff farther to support the issue joined on his part, in addition to the evidence contained in the aforegoing Bills of Exceptions made a part hereof, gave in evidence the patent of "Poteuch -

"Sarah Brooke Walter and Richd. Brooke's patent 450 acres "Noneduch."

Frederick &c. Know ye that whereas Sarah Brooke (on behalf of herself and Walter and Richard Brooke infants under the age of twenty one years) of Charles County by his humble petition to our Agents for management of Land affairs, within this province did set forth, that Thomas Brooke the petitioners husband late of Charles County deceased, did heretofore by his petition set forth that there was escheat to us the following tracts or parcels of land lying and being in the County aforesaid and contiguous to each other (viz.:) one hundred acres part of a tract or parcel of land called Allison's Folly originally on the twenty third day of June Anno Domini sixteen hundred and sixty three, granted unto a certain Thomas Allanson for four hundred acres "Wicksall," originally on the twenty fifth day of November Anno Dom. sixteen hundred and sixty seven granted unto a certain John Hutchinson for two hundred acres, and "Aspinals' Hope", originally on the sixteenth day of March sixteen hundred and eighty one, granted unto a certain Henry Aspinal for one hundred and fifty acres, all which tracts were the right of a certain Henry Aspinal who died thereof possessed intestate and without heirs or making any legal disposition thereof by which means the same became escheat to us and the petitioner Thomas Brooke being the first discoverer, humbly prayed to be admitted to its purchase (be it escheat by the means aforesaid or by any other ways or means whatsoever) and a special warrant to resurvey the same with liberty of adding any contiguous vacancy and reduce the whole into one entire tract