December Term 1848.

Nelson Beall & John Hendrixon — ads Isaac Beall, et al.	Action of Ejectment in Allegany County Court.

And the said defendants, by Thomas S. McKaig and Charles C. McCulloh, their attorneys come and defend the force and injury when &c. and take their defence of and upon the premises in question upon their title thereto, and say that they are not guilty of the trespasses and ejectments in the said declaration mentioned in manner and form as the said plaintiffs above complain against them and of this they put themselves upon the country.—

T. S. McKaig and
C. C. McCulloh, attys. for Defts.—

And the said Richard Roe, lessee as aforesaid, in like manner &c. to wit:

Isaac Beall et al. vs. Nelson Beall and John Hendrixon.—	And the said plaintiffs do the like.—

Thomas Perry
M. Topham Evans,
Pltff. attorneys.—

Whereupon for trying the issue aforesaid above joined, between the parties aforesaid it is ordered by the Court here that twenty persons from the panel of petit jurors returned to the Court here, by the sheriff of Allegany 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 bits, one of which said bits is delivered to the counsel for the respective parties, and the counsel for each of the said parties having stricken out four persons from the said bits thereupon the remaining twelve persons being called, come; that is to say, A. Mason Maguire, William L. Lamar, Henry Mickey, Jasper Robinett, of A. William Lynn, Andrew Ryland, Henry Hamsbill, William W. Sehby, Emanuel Easter, Henry H. Ainsworth, William H. Hoover, and Thurman Frazee, who being empanelled and sworn to say the truth in the premises, upon their oaths do say, that the said Nelson Beall and John Hendrixon are not guilty of the trespasses and ejectments aforesaid, as the aforesaid Richard Roe lessee as aforesaid hath above alleged; therefore it is considered by the Court here, that the said Richard Roe lessee as aforesaid take nothing by his declaration aforesaid, but for his false complaint against the said Nelson Beall and John Hendrixon be in mercy &c. and that the said Nelson Beall and John Hendrixon go thereof without day &c. and it is further considered by the Court here, that the said Nelson Beall, and John Hendrixon recover against the said Richard Roe lessee as aforesaid the sum of ten dollars and fifteen cents for their costs and charges by them laid out and expended in and about their defence in this behalf sustained to the said Nelson Beall and John Hendrixon by the said Court now here adjudged &c. and that the said Nelson Beall and John Hendrixon may have execution thereof &c.

Memorandum— Before the jurors aforesaid withdrew from the bar of the Court here, the said Richard Roe, lessee as aforesaid, by his attorneys aforesaid filed in Court here the following bill of exceptions, to wit:

Isaac Beall and others lessee vs Beall and Hendrixon.—	The plaintiffs to support the issue on their part joined, offered in evidence the patent for the tract of land called Walnut Bottom, granted to George Mason upon the 25th day of March 1754;—

December Term 1848.

George Mason's patent 500 acres "Walnut Bottom."— Frederick &c. Know ye that Whereas Thomas Bladen Esquire had on the first day of June anno Domini Seventeen hundred and forty five, surveyed and laid out for him a tract or parcel of land called "Walnut Bottom," lying and being formerly in Prince George's, but now Frederick County containing five hundred acres, by virtue of so much part of a warrant for three thousand acres, granted the said Thomas Bladen the sixteenth day of April seventeen hundred and forty five as appears &c. but before he sued out our grant for the same Benjamin Tasker, junior, Esquire, attorney in fact for the said Thomas Bladen, did on the eleventh day of September seventeen hundred and fifty three assign over all the said Thomas Bladen's right, title, interest, claim and demand whatsoever, of in and into the certificate of survey aforesaid, and the land and premises therein mentioned unto certain George Mason, who has since supplicated us that our grant might now issue in his name for the same which we have thought fit to condescend unto, and upon such conditions and terms as are expressed in our conditions of plantation of our said province, bearing date the fifth day of April sixteen hundred and eighty four, and remaining upon record in our said province; together with such alterations as in them are made by our further conditions, bearing date the fourth day of December sixteen hundred, and ninety six together also with the alterations made by our Instructions 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 late father's 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 George Mason, all that tract or parcel of land, lying and being formerly in Prince George's, but now in Frederick County called "Walnut Bottom;" Beginning at two bounded White oak trees, standing on a bluff of rocks, at the lower end of a bottom near half a mile below the mouth of Wills Creek, near the river side and running thence South thirty degrees East seventy four perches, then North fifty seven degrees East twenty eight perches then North twenty seven degrees East twenty perches, then north forty degrees East eighty perches, then South eighty four degrees East twenty perches, then North forty nine degrees East twenty six perches, then north fifteen degrees East sixteen perches, then north seven degrees West fifty four perches then North thirty five degrees East twenty perches, then North twenty eight perches, then north fifty four degrees West thirty six perches, then North eight degrees West fourteen perches, then north sixty two degrees West twenty eight perches then north twenty seven degrees East thirty perches, then north eight degrees West twenty perches then North thirty eight degrees West forty perches, then West fifty two perches, then North eighty five degrees West forty five perches, then north sixteen degrees West twenty six perches, then north three degrees West sixteen perches, then north fourteen degrees West sixteen perches, then north forty seven degrees West twenty perches, then north seventy three degrees West one hundred and thirty four perches, then South thirty seven degrees West twenty perches, then South fifty one degrees East ninety six perches, then South thirty six degrees, West thirty six perches