leave to amend the said Plots and Certificates returned to the Court here in this cause and to add thereto if necessary by the second Monday of November next, and to them its granted, and the same are delivered to the Sheriff and Surveyor aforesaid for that purpose: thereupon further process of and upon the premises, by consent of the said parties and their Attornies aforesaid, and by order of the Court here thereon is further continued until the second Monday of November next At which said second Monday of November in the year of our Lord one thousand eight hundred & twenty two, comes again into the County Court here as well the said John Denn lessee as aforesaid by his attornies aforesaid, as the said James Bevans by his attorney afs.d and the said Sheriff and Surveyor of the County aforesaid to whom the said plots & Certificates were delivered for the purpose of amending or adding thereto if necessary return the same to the Court here as amended; whereupon for trying the issue aforesaid between the parties aforesaid within joined its ordered by the Court here that twenty persons from the panel of petit Jurors be drawn by Ballot and written upon two lists, one of which said lists 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 lists, thereupon the remaining twelve persons being called come to wit James A Colins, Turner Davis, Stephen Hayes, John Richardson, Giles Jones, John P. Duffield, Isaac N. Victor, Lemuel Showell, William Holland Jonathan Fooks, John P. Rattaree & Hamilton Bayly, who being empannelled & sworn to try the truth in the premises upon their oath do say as to the Trespass and Ejectment in the tract or parcel of land first within mentioned, and in the said declaration expressed to have been demised to the said John Denn by the said Jeackle Taylor, Alexander Taylor Nancy Taylor, James Beby and Peggy his Wife and James Taylor with the appurtenances that the said James Bevans is not guilty thereof as the said James Bevans hath within in pleading alledged; and as to the Trespass and Ejectment in the tract or parcel of Land secondly within mentioned and in the said declaration expressed to have been demised to the said John Denn by the said Jeackle Taylor with the appurtenances, the said Jurors upon their oath aforesaid say that the said James Bevans is guilty thereof in manner and form as the said John Denn hath within complained against him, and they assess the damages of the said John Denn by reason of the Trespass and Ejectment aforesaid to six cents, Whereupon its considered by the Court here, that the said John Denn do recover against the said James Bevans his term afs.d yet to come and unexpired of and in the said part of a tract or parcel of arable & woodland called Temple Comb secondly above mentioned, in the said declaration expressed to have been demised to the said John by the said Jeackle Taylor with the appurtenances, and the said six cents the damages aforesaid by the Jurors aforesaid in manner and form aforesaid assessed for his damages which he hath sustained by occasion of the trespass and Ejectment aforesaid, and also the sum of sixty dollars sixty seven cents by the Court now here adjudged unto the said John for his costs & charges by him about his suit in this behalf laid out and expended, and the said John in mercy for false complaint against the said James Bevans as to the trespass and Ejectment mentioned in the said tract or parcel of Land in the said declaration first above mentioned whereof the said James Bevans is by the Jurors aforesaid in form aforesaid acquitted, and that the said James Bevans go thereof without day &c. And thereupon the said James Bevans by his Attorney aforesaid prays that he

may appeal from the judgment aforesaid so as aforesaid rendered to the Court of Appeals of the State of Maryland to be holden for the Eastern Shore of the said State, and the same is granted unto him; its therefore ordered by the Court here that the record and proceedings aforesaid with all things thereunto relating be transmitted to the Court of Appeals to be holden for the Eastern Shore of the said State, at Easton on the last Monday in November next, and the same are transmitted to the said Court accordingly Test. John Mackey Cl.

Memorandum. Before the Jurors aforesaid withdrew from the bar of the Court here the said James Bevans by his Attorney aforesaid, filed in Court here the following Bill of Exceptions to wit

Jeackle Taylor & others Lessees
vs.
James Bevans

Ejectment. The Lessors of the plaintiff in this action to maintain the issue and support title to the lands in the plaintiffs declaration mentioned offered in evidence to the Jury the following Patent.

John Capman Patt. 200. acres Charles absolute lord & propr. of the Province of Maryland and Avalon lord Baron of Baltimore &c. to all persons to whom these presents shall come greeting in our Lord God Everlasting, Know ye that whereas Christopher Nutter of Somerset County in our said Province of Maryland hath due unto him two hundred acres of land within our said Province part of a Warrant for two thousand and fifty acres granted him the two and twentyeth day of May one thousand six hundred eighty two, and had surveyed and laid out for him a tract of land for two hundred acres called "Temple Comb" lying on the Seaboard side all p. Deed right title & interest in and to the same he the said Christopher Nutter hath assigned and set over unto John Capman of the same County as appears upon Record and upon such conditions and terms as are expressed in the Conditions of plantations of our late ffather Cecilius ye Noble manor according to his declaration bearing dated the two and twentyeth day of September one thousand six hundred fifty eight, with such alteration as in them are made by his instructions to us bearing date the eight and twentyeth day of July one thousand six hundred sixty nine and the one and twentyeth day of March past following all being on remaining upon record in our said Province of Maryland. WE do therefore hereby grant unto him the said John Capman, all that tract or parcel of land called Temple Comb, scituate lying and being on the Sea board side near Wattapony back in the woods, from the water bearing the sea board side and Pocomoke River, nigh a Road bounded as followeth. Beginning at a marked White Oak standing at the head of an arme of a small branch, nigh a swamp, thence with a line drawn North North East eighty two perches, thence with a line drawn North West by West three hundred and twenty perches, thence with a line drawn South by East two hundred and seventeen perches and from thence with a right line drawn to the first bounder containing two hundred acres more or less according to the Certificate of Survey thereof taken and returned into the Land Office at the City of St Marys bearing date the tenth day of June one thousand six hundred eighty two and there remaining upon record together with all rights profits benefits and priviledges thereunto belonging (Royal mines excepted) Yielding and Yeilding the same to him the said John Capman his heirs and assigns forever to be holden of us and our heirs as of our manor of Somerset in free and common soccage by fealty only for all manner of services yielding & 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.t the feast of the annunciation