In Testimony that the aforegoing writing is truly transcribed from Liber J. W. No. 3. folios 184 and 185. (one of the Record Books belonging to the office of the Register of Wills of Worcester County in the State of Maryland) I have hereto set my hand and affixed the public seal of my office this 16th day of October Anno Domini 1821.

(Seal of office)

Matthias Hopkins Reg. Wills for Wor. Cty.

that in the year 1768. he died in possession of the said lands leaving Alexander Taylor his eldest son, and several other children mentioned in the said Will. That the said Alexander Taylor died intestate some time in the year 1785. leaving Isaacke Taylor his eldest son & Joshua Taylor a younger son. That the said Isaacke Taylor about the year 1790. married a certain Negro Maria by whom he had an illegitimate son called Isaacke the lessor of the plff in the second count, that after his said marriage he acknowledged the said Isaacke to be his child, and after his marriage with the said Negro he had other children to wit Alexander Taylor and the other lessor of the plaintiff, mentioned in the first count in the declaration and died intestate some time in the year 1803. leaving the said children. That Obed Taylor the Devisee in the said Will mentioned died some time in the year 1817. intestate leaving about three or four children now living. that the lands mentioned in the said Patent Will and Declaration are one and the same. Whereupon the lessor of the plaintiff prayed the Court to direct the Jury that the lessor of Plff in the second Count of the said declaration is entitled to recover the land therein mentioned and that they ought to find for the Plff upon the said second Count which prayer of the plff the Court granted and so instructed the Jury accordingly, to which opinion and instruction of the Court, the defendant by his Counsel excepted and prayed the benefit of this his exception & that the Judges would sign and seal this Bill of Exception according to the form of the Statute in such case made and provided. Wm. B. Martin (Seal) Saml. Robins (Seal)

State of Maryland Worcester County to wit. I hereby certify that the aforegoing is a true Copy taken from the Record of proceedings of the County Court of Worcester.

(Seal of Worcester County Court)

In Testimony whereof I have hereunto set my hand & affixed the Seal of my Office this twenty third day of November in the year of our Lord one thousand eight hundred and twenty two. John C. Handy Clk Wor. Co. Court

And now come into the Court of Appeals here, as well the said James Bevans by Irving Spence and Geo. Spence his Attorneys, as the said John Denn, lessee of the said Isaacke Taylor, by Josiah Bayly Esquire his Attorney: And the said James Bevans — — — by his Attorneys aforesaid, says, that in the record of proceedings aforesaid and also in the giving of Judgment aforesaid, there is manifest error in this to wit, that by the record aforesaid it appears that the judgment aforesaid in the plea aforesaid given, was given for the said John Denn, lessee as aforesaid, against the said James Bevans, when by the law ought to have been given for the said James Bevans against the said John Denn, lessee as aff. 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 James Bevans, may be restored to all things which he hath lost by occasion of the said judgment, and that the said John Denn, lessee as aforesaid, may rejoin to the errors aforesaid &c.

And the said John Denn lessee as aforesaid by his Attorney aforesaid says, there is no error in the record of proceedings aforesaid nor in the giving of the judgment aforesaid, and he prays that the Court of Appeals here will proceed to the

examination as well of the record of proceedings aforesaid, as of the matter aforesaid by the said James Bevans above for error assigned, and that the said judgment may be in all things affirmed &c. thereupon further process of and upon the premises between the parties aforesaid, is by virtue of an Act of Assembly in such case made & provided, continued before the Court of Appeals here, until the first Monday in June next: the same day is given to the said parties there then to hear the judgment of the Court of Appeals here of and upon the said premises &c. At which said first Monday in June, being the second day of the said month, in the year of our Lord one thousand eight hundred and twenty three, come again into the Court of Appeals here, the parties aforesaid, by their Attorneys aforesaid; whereupon it is ruled by the Court here, that the matter in controversy between the parties aforesaid, be argued and fully discussed before the Court of Appeals here &c. thereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties and their Attorneys aforesaid, and by order of the Court here therein, is further continued until the last Monday in November next. At which said last Monday in November, being the twenty fourth day of the said month, in the year of our Lord one thousand eight hundred and twenty three, come again into the Court of Appeals here, the parties aforesaid, by their Attorneys aforesaid; thereupon further process of and upon the premises, between the parties aforesaid, is by virtue of an act of Assembly in such case made and provided, further continued before the Court of Appeals here, until the first Monday in June, next. At which said first Monday in June, being the seventh day of the said month, in the year of our Lord one thousand eight hundred & twenty four, come again into the Court of Appeals here, the parties aforesaid, by their Attorneys aff.d but because the Court of Appeals here are not advised what judgment to give of and upon the premises, day therefore is given to the parties aforesaid before the Court of Appeals here, until the last Monday in November next, to hear the judgment of the Court of Appeals here of and upon the premises for that the Court now here thereof are not advised &c. At which said last Monday in November, being the twenty ninth day of the said month, in the year of our Lord one thousand eight hundred and twenty four, come again into the Court of Appeals here the parties aforesaid, by their Attorneys aforesaid; thereupon further process of and upon the premises aforesaid, between the parties aforesaid, is by virtue of an Act of Assembly in such case made and provided, further continued before the Court of Appeals here, until the first Monday in June next, the same day is given to the said parties there then to hear the judgment of the Court of Appeals here of & upon the said premises &c. AND NOW at this day, to wit, the said first Monday in June, being the sixth day of the said month, in the year of our Lord one thousand eight hundred & twenty five, come again into the Court of Appeals here the parties aforesaid, by their Attorneys aforesaid; whereupon as well the record of proceedings aforesaid, and the judgment given in form aforesaid, as the matters aforesaid, by the said James Bevans above for error assigned, being seen, and by the Court of Appeals here fully understood, & mature deliberation thereupon had, for that it appears to the Court of Appeals here, that there is no error, in the record of proceedings aforesaid, nor in the giving of the judgment aff.d therefore it is considered by the Court of Appeals here, that the judgment aforesaid, given in form aforesaid, be in all things affirmed and stand in full force & effect, the said causes for error above assigned and alleged in any wise notwithstanding — and it is further considered by the Court of Appeals here, that the said John Denn, lessee of