day of December A.D. 1855. John H. Price (Seal)

Carroll's Lessee vs. Granite Manufacturing Company. } Circuit Court of Baltimore County.

While the above case was under argument before the Court the Counsel for the defendant offered the following Prayer to be added as a qualification of his first prayer.

That any structure made by the expenditure of labor or money by the owners of the Rolling Mills on the property in controversy intended to make the same more useful or valuable and actually used in connection therewith and visable to the eye at the date of the deed from the Union Bank to Carroll and improvements within the true construction of said deed.

Which being granted by the Court though objected to by plaintiffs Counsel, the Plaintiffs pray leave to except to the granting of the same and that the Court here would sign and seal this his 6th Bill of exceptions which is accordingly done this day of December A.D. 1855.

John H. Price (Seal)

And thereupon the said John Doe Lessee as aforesaid prayed an appeal from the judgment aforesaid as aforesaid rendered to the next Court of Appeals of the State of Maryland and to him it is granted.

It is thereupon ordered by the Court here that a transcript of the Record and Proceedings in the plea aforesaid with all things thereto relating be transmitted to the said Court of Appeals, and the same are transmitted accordingly.

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It is agreed that the Plats called for in the Bill of Exceptions shall not be copied into the Record to the Court of Appeals but that the same be taken up and read in said Court as if inserted as part of the Record.

G. L. Duany atty for Plf.
Dobbin & Talbot for Defendts.

Lease Referred to in agreement on page 6.

This Indenture made this 19th day of March in the year of our Lord One thousand Eight hundred and forty six between Robert Miller Junior and William B. Jenks and Elizabeth Jenks his wife of the City and County of Baltimore in the State of Maryland of the one part and the Granite Manufacturing Company of Maryland (incorporated by an Act of the General Assembly of Maryland passed at December Session Eighteen hundred and forty three chapter 273) of the other part. Witnesseth that in consideration of the payment of the rents and performance of the covenants, conditions and agreements hereinafter reserved and mentioned on the part of the said party hereto of the second part and its assigns. all that piece or parcel of land situate and lying partly in Baltimore County aforesaid and partly in Howard District of Anne Arundel County, let apart to be annexed and held with the Rolling or Rolling Mill being part of a tract of land called "West Chester" and described by the metes & bounds courses and distances following that is to say, Beginning for the same at the end of the one hundred and twenty six inch line of the said Land called West Chester it being at an iron pin driven into a hole bored in a Rock the said Pin being also the beginning of a Lot of ground conveyed by Jonathan Ellicott and others to Samuel Smith and running with the given line of said Lot reversed South sixty five degrees East Ten perches to a corner stone standing near four dead trees from two Sycamore Saplings, still with the said Lot reversed including a small slip part of an original tract called "Stout" South Fifteen degrees East Ten perches and one half of a perch North fifty nine degrees East three perches to a stone a corner of another Lot conveyed by the said Jonathan Ellicott and others to the said Samuel Smith then with his said second Lot reversed two courses North fifteen degrees West fifteen perches to a corner stone the beginning of said Lot and the end of the one hundred and twenty eight line of the whole aforesaid Tract called West Chester then with the one hundred and twenty ninth line of said Land North fifty nine degrees East thirty perches to a stone, then by dividing lines now agreed on, two courses North Fifty nine degrees East twenty four perches and three fourths of a perch to a corner stone, North thirty three degrees West Twenty two perches to a marked white oak, it being the end of the third line of a reservoy made for the Union Manufacturing Company of Maryland called "Oella" then with the same Land reversed three courses North thirty three degrees West nineteen perches, to the South East edge of the water in the Rolling Mill Pool, then bending on the said Edge of the water as the same shall flow when the top of the rolling mill dam shall be adjusted to the height mentioned in the deed to the said last mentioned company. For part of the said tract called West Chester two courses, North fifty degrees East sixteen perches, North forty two degrees and one quarter of a degree, East fifteen perches and one quarter of a perch to large iron bolt nailing through it, driven into a hole bored into a Rock marked U M Co. the said rock being the beginning of the said reservoy called "Oella" then with the given line thereof reversed North Seventeen degrees and three fourths of a degree West nineteen perches over the main falls of Patapsco and crossing an island in the same to a corner stone marked E. 67 standing at the end of the one hundred and eighteenths line of the whole reservoy called West Chester then with the said Land as originally marked and bounded four courses South twenty Eight degrees and one half of a degree West Twenty five perches to a stone marked E 68 South forty seven degrees and one half of a degree West Fourteen perches to a stone marked E 69. South Sixty degrees West Forty perches to a stone marked E 70 South Thirty nine degrees and one half of a degree West Twenty one perches and one half of a perch, to intersect a line drawn across the main falls of Patapsco aforesaid parallel with the breast of the rolling mill dam, three perches below it, then bending on the said parallel line South Sixty two degrees East seven perches to the end of the Eighteenth Line of the first part of said Land called West Chester conveyed to Jonathan Ellicott. then with his line reversed three courses South Eighteen degrees West Five perches. South five degrees East three perches and one fourth of a perch to an iron pin, driven in a hole bored in a rock in the Eastern Edge of the Water in his mill pool, South twenty two degrees and three fourths of a degree. East Twenty three perches and three fourths of a perch to a stone marked 15" then North Seventy degrees East twenty nine feet to the beginning, containing Twenty acres of Land more or less. Saving and excepting therefrom Two acres, Two Roods and twenty five perches of Land that by Indenture bearing date on or about the Eleventh day of September 1834 and recorded among the Land Records of Baltimore County in Liber J.S. No. 246 folio 433 &c. were granted and conveyed by Thomas B. Dorsey and others to John McBrown, also all that piece or parcel of land situate and lying in Baltimore County aforesaid being part of a tract of Land called West Chester and described by the following metes and bounds courses and distances to wit, Beginning for the same at a stone marked IE. 4 a corner of the Land owned by the