proved by Drury a competent Witness and the owner in 1847 of the Land now owned by Williams who have no interest in any way in the Event of this Suit, that in 1847 he Drury understanding a survey was going on went to the Grove now in dispute, that when he reached there he found only the defendant and Seppelt the Surveyor for the County that the Witness had not sent for or employed Seppelt the Surveyor, that soon after he reached there Seppelt the Surveyor ran a line by his compass and chain Beginning at a stake about the end of the Grove in ordinary course to the Bay side, that the line thus run then the entire Grove in dispute on the Land then owned by Williams and now owned by the plaintiff that the line so run was a few yards from the fence and on the Land then and owned by defendant Richardson that Seppelt the Surveyor is now alive and residing in the St Marys County that the whole of said Line was run in the presence of Richardson; The defendant in this case objects to the testimony so offered of Drury but the Court overruled the Objection and permitted the Evidence to go to the Jury to be weighed by them in connexion with the other Evidence offered to prove the ownership of the Grove but not to prove any Trespass of the Land to which a portion of the Court the defendant excepted and prayed the Court to sign and seal this his Bill of Exception which is accordingly done this 25th day of March 1859.

Peter W Crain (Seal)

And afterwards to wit on the 25 day of March 1859 the said defendant by his attorneys aforesaid prays an appeal from the Judgment so as aforesaid rendered to the next Court of Appeals to be held for the State of Maryland and it is granted Whereupon the said defendant by his attorney aforesaid filed in said cause an appeal Bond of which the following is a copy to wit,

Know all men by these Presents That we James Richardson of Saint Marys County and Robert A Middleton of the City of Baltimore and State of Maryland are held and firmly bound unto Elias Mulliner of Saint Marys County and State aforesaid in the full and just sum of Two Hundred dollars current money to be paid to the said Elias Mulliner his Executors administrators or assigns to which payment well and truly to be made and done we bind ourselves our heirs Executors administrators and assigns jointly and severally firmly by these presents sealed with our seals and dated this 16 day of March in the year 1859. Whereas at a Criminal Court begun and held at Leonard Town in and for said St Marys County on the 3 Tuesday of March 1859 the above named Elias Mulliner by the Judgment of the said Court recovered against the above bound James Richardson of St Marys County and State aforesaid as well the sum of Five thousand dollars current money for his damages by him released on the payment of Two Hundred dollars with Interest from the 25 day of March 1859 till paid and Thirty Eight dollars and Twenty five cents for his costs and charges by him about his suit in this behalf laid out and expended. Whereof the said James Richardson is

as of record is manifest. From which said Judgment the said James Richardson has prayed an appeal to the next Court of Appeals for the State of Maryland, Now The Condition of the above obligation is such that if the above bound James Richardson shall not cause a transcript of the Record and proceedings of the Judgment aforesaid to be transmitted to the Court of Appeals to be held at the City of Annapolis within the time required by law and prosecute the said appeal with effect and also satisfy and pay to the said Elias Mulliner his Executors administrators and assigns in case the said Judgment shall be affirmed as well the damages costs and charges aforesaid as any part by the Criminal Court awarded as costs and damages that shall be awarded by the said Court of Appeals then this Bond to be void remain in force and virtue otherwise to be of no Effect.

Signed sealed and delivered in the presence of John F Magill

James Richardson (Seal)
R. N. Mcburney (Seal)

Which being read and heard and the security in the said Bond being approved by the Clerk of the said Court this 26 day of March 1859 it is therefore Ordered by the said Court that the Record and proceedings aforesaid in the appeal aforesaid with all things thereunto relating be transmitted to the said Court of Appeals to be held for the State of Maryland and the same is transmitted accordingly.

James T Beach Clerk

Saint Marys County to wit

I hereby certify that the aforegoing is a true and true transcript taken from the Record and proceedings of the Criminal Court for Saint Marys County in the cause therein mentioned

(Seal)

In testimony thereof I have set my hand and affixed the seal of said Court this 26 day of May 1859

James T Beach Clerk
Cir Ct for St Marys County