3 of the Reservey on Blooming Rose" according to the metes and bounds courses and distances and Calls, as therein contained.

I have also by directions of defendant's counsel carefully located and laid down by actual survey the lines contained in a deed from W. C. Cramer & wife to John L. Hook, for Lots 1, 2 & part of 3 of Reservey on Blooming Rose" dated day of and recorded in Liber H. R. No. 22, folio 545, one of the Land Records of Allegany County, according to the metes & bounds, courses and distances as therein contained.

I have also by directions of defendant's counsel carefully located and laid down by actual survey the lines contained in a deed from John L. Hook to Isa C. Friend, for Lots 1 2 & part of 3 of "Reservey on Blooming Rose" dated day of and recorded in Liber H. R. No. 24 folio 338, one of the Land Records of Allegany County.

The Sheriff not being present an agreement of counsel was entered into waiving his right to be present in the Survey made in the above cause.

All the Surveys made in the above cause were made with a variation of 3° to the right, except where it is otherwise given, and were finished on the 4th day of April 1885.

I have also by directions of defendant's counsel carefully located and laid down by actual survey the end of the 12th line of the Blooming Rose as ran by Thomas F. White, Surveyor and shown on the Plat by black D, Beginning at the end of said 12th line as located by plaintiff's & running north 30° west four perches to black D. var. 3° to the right, and said point shown

by Asa Savage.

I have also by directions of defendant's counsel carefully located and laid down by actual survey a stone in the county road, & pointed out as being at the end of the 11th line of the "Blooming Rose", and shown on the Plats by black B, Beginning at the end of 54 perches on the 11th line of "Blooming Rose" as located by plaintiffs & running S. 49°. W. 2½ perches to stone at black B.

John T. Mitchell,
Surveyor Garrett County.
W. B. Hamill. Sheriff.

A copy of the Plat as returned by the Surveyor is made and transmitted as a part of the record.

Issues being joined and Jury impannelled for the trial thereof the cause was submitted without argument. The Jury impannelled say that they find for the Defendant. Before the jurors aforesaid withdrew from the Bar of the Court here the following Bills of Exception were filed as follows to wit:

Elijah Friend, vs W. H. H. Friend.	In the Circuit Court for Garrett County No. 21. Trials to May T. 1885. Action of Trespass.

The Plaintiffs to prove the issue on their part joined, offered in evidence the Patent for the tract of land called "The Blooming Rose".

John Muir & Doctor James Murray, their Pat. "The Blooming Rose", 1,100 acres.

The State of Maryland, &c. Know ye That whereas Jonathan Boucher hat on the twenty-third day of April, seventeen hundred and seventy-four surveyed and laid out for him a tract or parcel of land called