Trial of this cause produces to, and prays the Court here to sign the following Bill of Exceptions to wit,

In this cause a plat was returned upon which by order of the Plaintiff a tract of Land called Jourdan was laid down agreeably to a plat hereto annexed taken in a cause between Walter Smith against Smith, Sarah, Ignatius and James Middleton formerly depending in the provincial Court which said last mentioned James Middleton is the Defendant in the present action. The Plaintiff in this action offered to read and shew to the Jury the said Platt taken in the cause aforesaid of Walter Smith against Smith, Sarah, Ignatius and James Middleton signed and sealed by the Sheriff and the Surveyor of Charles County whose names are thereto subscribed and returned to the Provincial Court and hereto annexed to shew the admission of the Defendant as to the running of the lines of the said Tract of Land called Jourdan without producing any other evidence of the admission aforesaid to which evidence the Defendants Council objected before the Court, and the Court were of opinion the same should be, and it was accordingly rejected, to which opinion the Council for the Plaintiff beg leave to except. Dan Jenifer (seal) Richd Barnes (seal) Geo. Lee (seal) Henry Barnes (seal)

And the said James Middleton by his attorney aforesaid on the Trial of this Cause produces to and prays the Court here to sign the following Bill of Exceptions to wit.

The Plaintiff in this cause offered in Evidence the platt annexed to the Bill of Exceptions of the plaintiff in this cause and proved by Parol proof that the same platt was made in the cause signed by the Surveyor and Sheriff and the lines thereof admitted by James Middleton to be run agreeable to the courses and distances of the Patent of Jourdan, and that James Middleton mentioned in the cause in which the Platt aforesaid was made and James Middleton Defendant in this cause are the same and not different upon which proof the Court here admitted the said Platt to be read in Evidence to the Jury to which the Council for the Defendant excepts and prays the Court here to sign and seal this his Bill of exceptions which is accordingly done — Dan Jenifer (seal) Richd Barnes (seal) Geo. Lee (seal) Henry Barnes (seal)

And the said James Middleton by his attorney aforesaid in the course

course of the Trial of this cause produces to, and prays the Court here to sign the following Bill of Exceptions to wit,

In the Trial of this cause the Defendant offered to the Court the papers hereto annexed none of the lines appearing upon which are translated therefrom to the plat in this cause nor any notice of any part of the said papers upon the Plat or in the explanation in this cause, nor any person sworn upon the survey in the present cause to prove the running of the lines upon the papers thereto annexed and offered to prove by the Surveyor who run the lines described by the said papers that the same was surveyed by the directions of the Commissioner of the proprietor of Zachia Manor antecedent to the time, when the title of the Plaintiff by his own shewing is said to have commenced and prayed the Court to permit the said Defendant to give in evidence to the Jury such part of the said papers as respects the Location of the tract of Land called Jordan and the Land called Middletons and Ashins progress but the Court rejected the said papers so offered in Evidence altogether and declared that the papers annexed whether proved or not proved by parol testimony was not Evidence, and would not permit any part thereof to be shewn to the Jury, to which the Council for the Defendant excepts, and prays the Court here to sign and seal this his Bill of Exceptions which is accordingly done — Dan Jenifer (seal) Richd Barnes (seal) Geo. Lee (seal) Henry Barnes (seal)

And the Jurors aforesaid upon their oath do say that the said James is not Guilty of the Trespass aforesaid in manner and form as the said Hezekiah above in declaring supposes Whereupon the said James by his attorney aforesaid prays Judgment of and upon the verdict of the Jurors aforesaid in form aforesaid found for him to be given. Therefore it is considered by the Court here that the said Hezekiah Reeves take nothing by his ~~the~~ writ aforesaid but be in mercy for his false clamour and that the names of his pledges be sought for &c and that the said James go thereof without day &c. And it is also considered that the said James do recover against the said Hezekiah all his the said James legal Costs and charges by him about his defence in this behalf laid out and expended and that the said Hezekiah be in mercy &c.

And the said Hezekiah by his attorney aforesaid comes into Court and prays leave to appeal (under the Bill of exceptions aforesaid) to the General Court and produces to the Court here the following Bond, to wit.

Maryland