the said land called Shaws Fancy, as his own proper Estate and right, and also offered in Evidence a bond for the conveyance of said land; executed by Christopher Durbin Shaw Conditioned for the Conveyance of the aforesaid Land Called Shaws Fancy to the said George Harryman and his heirs dated the Eleventh day of February 1737 which bond follows in these words:- Maryland ss Know all Men by these presents that I Christopher Durbin Shaw of Balto County am held and firmly bound unto George Harryman of the said County in the full and just sum of fifty pounds sterling money to be paid to the said George Harryman his heirs Exors admrs or assigns which payment well and truly to be made and done I do hereby bind myself my heirs Exors and admrs firmly by these presents sealed with my seal and dated this 11 day of February 1737. The Condition of the above obligation is such that if the above bound Christopher Durbin Shaw his heirs Exors or admrs or any of them do & shall at any time hereafter at the request of the said George Harryman his heirs Exors or admrs or assigns convey make over and acknowledge unto the said George Harryman his heirs or assigns, all his the said Christopher Durbin Shaw or his heirs their right, title Claime and interest of and to a tract of land called Shaws Fancy and also all other lands that I have any rite title or Claime to In Balto County Clear of all claims and incumberances from by or under him the said Christopher Durbin Shaw his heirs Exors or admrs or any other person from by or under him or by their means or procurement as also clear of my mother Sarah Person thirds that then the above Obligation to be void and of none effect a else to stand & by in full force and Vetue in Law.

Signed Sealed & delivered in presents of
Teste Staly Durham
Mary her mark Durham
} Christopher Durbin Shaw (Seal)

And also offered in Evidence that the said George Harryman entered upon, occupied and was possessed of the whole of said Land Called Shaws Fancy and afterwards died so seised there of leaving George Harryman his eldest son and heir at Law; and also offered in Evidence that the said George Harryman the Heir at Law, after the death of his father entered upon and became seised of the said land Called Shaws Fancy as the Law required and afterwards died so seised there of leaving William Harryman the defendant his eldest son and heir at Law who after the death of the said George Harryman his father as heir at Law entered upon the said land Called Shaws Fancy, and hath ever since held and possessed the same and is now in possession there of and is the defendant in the present Cause. Whereupon the said Plaintiff by his Counsel desired the Court to declare to the Jury their opinion that on the Evidence aforesaid if they believed the testimony so given they might and ought to presume a will or Conveyance to have been executed by Christopher the grantee under which,

which his son Christopher and his Grand son Christopher Durbin were entitled to the said land Called Shaws Fancy as Tenants in Common or as Joint Tenants, though no such deed or will was produced at the trial and that the Court would so direct the Jury notwithstanding the Evidence so offered by the defendant; But the Court were of opinion that under the Evidence given as aforesaid in this Cause they Could not in point of Law give the direction aforesaid as prayed by the Plaintiffs Counsel and did accordingly refuse to give the said Direction To which opinion of the Court the Plaintiffs Counsel begs leave to except, and produced to the Court this his bill of Exceptions and prays the Court will sign the same and put their seals thereto according to the form and effect of the Statute in such Case made and provided. Which is accordingly done

R Goldsborough (Seal) Jeremiah Tornby Chase (Seal) G Duvall (Seal)

And thereupon the said George Goodright Lessee of the aforesaid Richard Hoddy by his Attorney aforesaid prays an appeal from the Judgment aforesaid so as aforesaid rendered to the State of Maryland's High Court of Appeals and the same is granted to him. It is therefore ordered by the Court here that the record and proceedings aforesaid with all things thereunto relating be transmitted to the said State of Maryland's High Court of Appeals. And the same are transmitted to the same Court accordingly.

Test. John Green Clerk

Stephen G. Gill's Lessee
against
Giles Cole.

State of Maryland Baltimore County ss. Be it Remembered that on the Thirteenth day of May Anno Domini seventeen hundred and ninety four; Giles Cole late of Baltimore County Gentleman was attached to answer unto Thomas Stiles of a plea wherefore with force and Arms &c, he entered into the following tracts of Land viz, the tract of Land Called the The Land of Strife and the Tract of Land Called Coles Struggle with the appurtenances thereto belonging situate in Baltimore County aforesaid which a Certain Stephen Garret Gill demised to the said Thomas for a term which is not yet expired and ejected him from his said farm and did him other wrongs to the great Damage of the said Thomas and against the peace Government and dignity of the State of Maryland &c. And Whereupon the said Thomas by Luther Martin his Attorney Complains that Whereas the said Stephen Garret Gill on the tenth day of June in the year of our Lord one thousand seven hundred and ninety three at Baltimore County aforesaid had demised to the said Thomas the said Tracts of Land with the appurtenances for him the said Thomas and his assigns to have and to hold the said Tracts of Land with the appurtenances from the said tenth day of June in the said year to the full end and term of ten years, then next following and fully to be compleat and ended By virtue of which said demise the said Thomas entered into the tracts of land aforesaid with the appurtenances and was possessed,