the Jury, that the execution aforesaid was void for the want of a return day and that no title could be made under the sale made in pursuance thereof, To which opinion and direction of the Court the Defendants prayed leave to except and that the Court would sign and seal this bill of Exceptions which is done accordingly, this twenty first day of May Eighteen hundred,

Jeremiah Townley Chase (seal)
G. Duvall (seal)
John Done (seal)

David West's Lessee
vs
Zenas Hughes and
Isaac Hughes

The Plaintiff to make title to the Lands in the declaration of Ejectment mentioned showed in Evidence to the Court and Jury that on the 7th day of February 1794 one Jesse Jarrett obtained a warrant of resurvey upon a tract of land Called Amos and Myers Puzzell that in virtue of that warrant a Certificate of resurvey was made out and returned to the land office for the said Jarrett bearing date upon the day of January 1795. wherein the land so resurveyed with the vacancy thereby added was called Little Contestable. That the said Jesse Jarrett having failed to pay the Caution money for the vacant Lands contained in the said Certificate within the time prescribed by Law the aforesaid David West upon the 6th day of May 1795. obtained a proclamation warrant to affect the vacant lands contained within and included by the said Certificate, That on the 8th of June 1795 the said David West procured a Certificate to be made out and returned to the Land office in virtue of the said Proclamation warrant upon which Certificate the said David West afterwards compounded and upon the 20th day of May 1797. obtained a patent for the Land mentioned and Comprised in the said last mentioned Certificate by the name of Jarrett's Disappointment which patent is in the words following, to wit.

David West his patent 115½ Acres
Jarrett's Disappointment

The State of Maryland VCa.
Know ye that whereas David West of Harford County on the fourth day of May seventeen hundred and ninety five obtained out of the Western Shore Land office a special warrant of Proclamation to resurvey and affect the vacant Land included in a resurvey made for Jesse Jarrett called Contestable in virtue of a warrant of resurvey obtained the eighth day of February seventeen hundred and ninety four

four on a tract of land called Amos and Myers's Puzzle, In pursuance whereof there was laid out for him the said David West the quantity of one hundred and fifteen Acres and half an Acre a Certificate whereof was returned to the land office by the name of Jarretts Disappointment and he having fully compounded for the said Land by the application of warrant and having paid to the treasurer of the western Shore the sum of three pounds for some improvements thereon according to Law. The State of Maryland doth hereby grant unto him the said David West the said tract or parcel of Land Called Jarretts Disappointment lying in Harford County aforesaid beginning, at the end of one hundred and two perches and a half perch on the south sixty, three degrees and thirty minutes East one hundred and thirty eight perches line of the original tract called Amos and Myers's Puzzle and running, thence North sixty, three degrees and thirty, minutes West ten perches and half a perch North twenty seven degrees West one hundred and sixty seven perches to a Stone then South seventy seven degrees East two hundred and forty, eight perches to a stone in a Marsh on the south side of a run the Southern prong of a draught of Deer Creek called the great branch and South forty eight degrees West six perches and half a perch distance from a large rock on the north side of said run then South forty Eight degrees west twenty five perches South fifty one perches to a Stone near a large rock by a Spring then South seventy four degrees East sixty three perches untill it intersects the second line of a tract called Ability, then by said line South sixty degrees West eleven perches to the beginning thereof then bounding on the first line of Ability South seventy four degrees east forty, seven perches and one quarter of a perch then South nine degrees East eight perches and one quarter of a perch to a bounded red Oak the south seventy four degrees west sixty perches to a bounded Chesnut then South sixteen degrees East twenty five perches to a bounded small red oak then north thirty, seven degrees West two hundred perches to a place South West nine tenths of a perch distance from a bounded large White oak standing in a fork of the aforesaid run and then with a straight line to the beginning containing one hundred and fifteen acres and half an acre more or less according to the certificate of survey thereof taken and returned into the land office bearing date the 8th day of June seventeen hundred and ninety five and there remaining together with all rights profits benefits and previleges thereunto belonging, To have and To hold the same