Register of the land Office who being duly sworn deposed that the Certificate for Thompsons Choice is recorded among the Land Records in his Office but that he has never seen or been able to find the original certificate, That previous to the year 1700 the Register of the Land office did not record as it appears by the old Record Books in his office, the payment made by the party of the composition money for lands surveyed for such party, or make any Marginal note in the Record of the certificate of such payment whether the said Certificate was made upon a warrant of Reserve or whether the said Certificate ~~which returned unclaimed more Lands than~~ was expressed upon the warrant or warrants upon which the same was made, That in the year 1679 and before and after as far down as the year 1700, there are many certificates for lands surveyed for different persons Recorded in the Land Office, upon which it cannot be found that there is or are any patent or patents Recorded in said Office: That this Certificate for the said land called Thompsons Choice is in that situation, that it is and always has been ~ customary to recite in the Patent or Grant when issued the consideration upon which the same issued and the manner in which the composition money for the land mentioned in such grant was paid, That since the Revolution several old patents granted ~ between the year 1678 & 1700 and one as far back as the year 1682 which were in the hands of those holding under the Patentee therein named, and which had never before been Recorded in the Land Office have been produced to him to be recorded, and have been recorded that it has sometimes happened to himself since he has been in Office that the person for whom a patent was made out, took it to the Governor to procure his Signature and having obtained it never returned the patent to him to be recorded, whereby it happened that a patent in such case did regularly issue, and yet there was and is no record of it in his Office, That for near thirty years last past he has from time to time frequently heard a report that one of the old Record Books in the Proprietary Land Office containing the Record of Patents has been lost, That the record Books in the Land Office refer from one to the other; and that he never found a reference to any record Book which is not to be found in the office, and that he Mr Callahan from thence is of opinion no Record Book has been lost out of his said Office, Burnt or destroyed. The Defendant then prayed the court to direct the Jury that from the Evidence produced in this cause, if they believe it they may and ought to presume that a patent regularly issued

from the Lord Proprietor of Maryland to the above named James Thompson for the said land called Thompsons Choice, And the Court were of opinion and so directed the Jury, that under all the circumstances of this case, if they find the facts so stated to be true, they may and ought to presume that a patent regularly issued to James Thompson for the tract of land called Thompsons Choice, To which opinion of the Court the plaintiff by his counsel prayed leave to accept, and that the Court would sign and seal this his bill of exceptions which is accordingly done this 9th day of June eighteen hundred and one, G. Duvall (Seal)

John Done (Seal)

And thereupon the aforesaid John Easy Lessee of the aforesaid Aquila Hall by his attornies aforesaid prays an Appeal from the Judgment aforesaid, so as aforesaid rendered to the high Court of Appeals of the State of Maryland, and the same is granted unto 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 High Court of Appeals: It is agreed that no execution shall issue for costs till a Determination in the Court of Appeals.

Test Jno Gwinn clk (Seal)

356 pa.

Aquila Halls lessee against James Gittings of Thos.	Ejectment Same proceedings and Judgment (mutatis mutandis) as same plaintiff against Harry Dorsey Gough, entered in this book page 245
8c.	Costs — 34 lb 8 lb tob. Test Jno Gwinn clk
Same against Benjamin Gittings	Ejectment Same proceedings and Judgment (mutatis mutandis) as same plaintiff against Harry Dorsey Gough, entered in this book, page 245
8c.	Costs — 34 lb 8 lb tob. Test John Gwinn clk
Same against Thomas Proctor	Ejectment Same proceedings and Judgment (Mutatis Mutandis) as same plaintiff against Harry Dorsey Gough. Entered in this Book page 245
8c.	Costs — 34 lb 8 lb tob. Test John Gwinn clk