of Maryland this fourteenth day of August anno domini seventeen hundred and fifty nine. Witness our trusty and well loved Horatio Sharpe esquire lieutenant general and Chief Governor of our said province of Maryland chancellor and keeper of the great seal thereof. (The Great Seal)

Horatio Sharpe.

In Testimony that the foregoing is a true Copy from Liber B C and G S. No. 10 folio 334 one of the records belonging to the Land office of the State of Maryland I hereto set my hand and affix my official seal. (Seal of the Land office.)

Jno. Callahan Regr. Office S.

The Defendant then produced and read to the Jury the last will and testament of Walter Tolley the Patentee aforesaid bearing date the twenty sixth day of July in the year of our Lord one thousand seven hundred and Eighty one in due form of law executed by which he devised amongst other things the tract of Land called Tolleys Purchase aforesaid to the wife of the defendant who is still living, and that the said Walter Tolley Died possessed thereof in the year seventeen hundred and eighty three. The Defendant then offered evidence to the Jury to prove that from the time of the grant aforesaid for Tolleys Purchase the quit rents on the said Tract had been paid by the said Walter Tolley to the agents of the proprietor until the year 1776 and that the other taxes and County assessments imposed on lands had also been paid by the said Walter Tolly and those claiming under him for the aforesaid Tract of Land called Tolleys Purchase. The defendant then offered evidence to the jury to prove that from the time of obtaining the grant for Tollys Purchase to the present time the said Walter Tolley and those claiming under him have been in the possession and occupation of the said tract claiming title to the same. The defendant then offered evidence to the Jury to prove this this location of the said tract called Tolleys Purchase and for which he has taken defence and which is described by the Plats and the table of Courses No. 15 is the true original location of said land and that part of the Plaintiffs pretentions for the tract of land called Friendship Compleated Interferes with and runs foul of the said Tract called Tolleys Purchase. The Defendant then prayed the opinion of the Court and their direction to the Jury that

that admitting that the tract of land called Hollands park mentioned in the Patent of Friendship Compleated was liable to Escheat at the time of the survey and grant of Tolley Purchase and part thereof was included in the patent of Tolleys Purchase, then the subsequent grant of the Escheat on Hollands Park called Friendship Compleated to the lessor of the Plaintiff could not operate to give title to the Lessor of the Plaintiff for any part of the said Land which was included in the Escheat Grant to Tolley But the Court were of opinion and so directed the Jury that if Hollands Park was escheatable at the time of the grant of Tolleys Purchase and possession and payment of quit rents followed for more than twenty years before the act of Confiscation the Patent for Tolleys Purchase operates to Convey a good title to all the Land contained within the lines of the grant but if Hollands park was not Escheatable at the time the Grant of Tolleys Purchase was obtained that in such case no part of Hollands Park which is included within the lines of Tolleys Purchase passed to Walter Tolley under the said Grant; To which opinion and direction of the Court the Defendant by his Counsel prays leave to except and that the Court will sign and seal this his bill of Exceptions according to the statute &c. and which is accordingly done this fourth day of June in the year of our Lord one thousand eight hundred and two

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

James Gittings Junior's Lessee
vs
Aquila Hall

Ejectment.

At the trial of this Cause the Defendant by his Counsel offered in Evidence to the Jury, to support the location of the tract of land called Tollys Purchase made by the Defendant on the plats in this Cause filed, the certificate and Patent of the said tract of land called Tollys Purchase in the words following to wit.

Walter Tolleys Cert. Tolleys Purchase containing 352 Acres. patented 4th. Augt. 1759 Rent p Annum 1. 21 Sty. Chd. to the rent roll.

Baltimore County To. By virtue of a special warrant granted out of his lordships land office on the thirtieth day of August seventeen hundred and fifty seven to resurvey for Walter Tolley of Baltimore County the two following tracts or parcels of Escheat land lying and being in the County aforesaid and Contiguous to each other viz.

Cullins