unless they are satisfied from the evidence in the Cause of the place where the 1st. line of said Resurvey) calls for that then the true location of said land is to be ascertained by running the lines of said Resurvey from the place marked on the plat at 2 without or with such variation as they think proper until the given line shall intersect and close with the beginning so found by reversing as aforesaid, and that the Jury and by law Competent to draw lines on the plat to ascertain the true position of the land in the declaration named, or to make such description thereof in their Verdict as shall fix the true position of the same, notwithstanding there are no such lines on the plat at this time located, and in case they have evidence to satisfy their minds of the true original beginning of the resurvey made by the said Ward and for which suit is brought and that the same is at a place different from what is located by either plaintiff or Defendants that then they are to begin at the place so proved, and run the first eight Courses of the grant with or without such variation as they think most proper to correspond with the original location, and that the 9th. Course must be run to its call at 2 rods 27, rods p[illegible] C and in Case they have not evidence to establish the place called for at the termination of the 1st. line, that then they have a right and are bound to locate the lines from 2 with or without variation as they think proper until the given line shall intersect and close with the said place of Beginning, and the Jury and by law Competent to draw lines on the plat to ascertain the true position of said land or to make such description thereof in their verdict as shall fix the true position of the land, notwithstanding there are no such lines on the plat at this time located, and on fixing such location the plaintiff is entitled to their Verdict for all such land as is included within their finding, and which is also Contained in the location of the plaintiff of the said land called Woods Inclosure, and for

which the defendants had taken defence. But the Court refused to give the direction prayed in as much as the plaintiff in this Cause had not made any location on the plat to warrant the Court in directing the Jury to find a Beginning for the plaintiff different from that located at the letter (x as the beginning) of part of Woods Inclosure the plaintiff having made only one location of the beginning of the said tract of land and the same having been Counterlocated by the defendant To which opinion of the Court the plaintiff by his Counsel excepts and prays the Court to sign and seal this his bill of exceptions according to the Statute in such case made and provided and which is accordingly done this tenth day of June in the year of our Lord one thousand eight hundred and three

Jeremiah Townley Chase (seal)
John Done (seal)
R.d. Spigg (seal)

And thereupon the said Corporal Trim Lessee as aforesaid by his Attorney aforesaid prays an appeal from the Judgment aforesaid so as aforesaid rendered to the High Court of Appeals of the State of Maryland and it is granted him; It is thereupon ordered by the Court here that the record and proceedings aforesaid in the plea aforesaid with all things thereunto relating be transmitted to the said High Court of Appeals of the said State and the same are transmitted to the said Court accordingly, and the defendant agrees to stay execution until the final determination in the Court of Appeals, provided the said appeal is prosecuted Test John Gwinn Clk

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Philip Hammond
Rezin Hammond and
Rachel Dorsey Lessee
against
Charles Alexander Warfield

Be it remembered that heretofore, to wit, on the tenth day of April in the year of our Lord one thousand seven hundred and ninety seven Corporal Trim Lessee of Philip Hammond Rezin Hammond and Rachel Dorsey by Letter Martin, Philip Barton Key and Richard