in possession, who appeared here in Court by William Pinkney his Attorney and entered into the common rule, and prayed the liberty of Imparling thereof until the Second Tuesday of September then next following, and it was granted unto him, the same day was given to the said Thomas Trusty Lessee aforesaid there &c. — At which day, to wit, the Second Tuesday of September Seventeen hundred and ninety four, came again the Parties aforesaid by their Attornies aforesaid, and the said William Hemsley by his Attorney aforesaid defends the force and injury when and so forth, and took defence according to his Pretensions as they should appear to be laid down on a Warrant of Resurvey to be issued in this Cause and prayed the further liberty of Imparling here to the Action aforesaid, until the Second Tuesday of April then next and it was granted unto him, the same day was given to the said Thomas Trusty Lessee as aforesaid there &c. — At which day, to wit, the Second Tuesday of April Seventeen hundred and ninety five, here came again the Parties aforesaid by their Attornies aforesaid, and the said William Hemsley by his Attorney aforesaid prayed the further liberty of Imparling thereof to the Action aforesaid, until the Second Tuesday in September then next, and it was granted unto him, the same day was given to the said Thomas Trusty Lessee as aforesaid there and so forth. — At which day, to wit, the second Tuesday of September Seventeen hundred and ninety five, here came again the Parties aforesaid by their Attornies aforesaid: and the said William Hemsley by his Attorney aforesaid prayed the further liberty of Imparling thereof until the Second Tuesday of April then next following and it was granted unto him, the same day was given to the said Thomas Trusty there &c. — And now here at this day, to wit, the Second Tuesday of April Seventeen hundred and ninety six, come again the Parties aforesaid by their Attornies aforesaid, and the said William Hemsley by his Attorney aforesaid defends the force and injury when &c and saith that he is in no wise Guilty of the Trespass and Ejectment aforesaid, as the said Thomas Trusty Lessee of the said Elizabeth Nicholson above against him hath complained, and of this he puts himself upon the Country: and the said Thomas Trusty Lessee aforesaid in like manner &c. Whereupon for trying the issue aforesaid it was Commanded to the Sheriff of Talbot County that he should cause to come here immediately before the Judges aforesaid twelve &c, who neither &c to recognize &c because as well &c And thereupon the Persons returned of that Jury whereof mention is above made, being called certain of them, to wit, David Kerr, William Eliason, William Diamond, John Singleton, James Goldsborough, John Bishop, Lazarus Collman, Robert Dunn, Lion Campbell, Charles Blake, Peter Rea, and William Ringgold, who being Elected, Tried, and Sworn to say the truth of and upon the Premises aforesaid, upon their Oaths do find a Verdict for the Plaintiff for an Undivided third part of the Tract of Land called Hopton according to the following Metes and bounds, Beginning

at black Letter A. thence down the Creek and binding with the same to black Letter O. from thence with a Straight dotted line to black C. at the corner of Woolmans Land, no name, from thence with another dotted line, to a Tract of Land called "Old Mill" at the figures 320. and with the said Land to the first Beginning including three hundred and twenty Acres described by the following Metes and bounds upon the plotted — Beginning at black Letter O. from thence with the line of Hopton to black figure 1. from thence black 2. then to black 3. from thence to the beginning at O. to Contain 20 Acres round the Court House — And for the Defendant as to the residue —

James Earle Sum. Clerk

Memorandum. Before the Jurors aforesaid withdrew from the Bar of the Court here, the said William Hemsley by his Attorney aforesaid tendered to the Court here his Bill of Exceptions, and which was by the Court here signed and Sealed, and which is in form following, to wit, —

Elizabeth Nicholson's Lessee against William Hemsley } Ejectment for Hopton — The Lessor of the Plaintiff gave in Evidence in this Cause a Patent of Confirmation for the Tract of Land in the Declaration aforesaid mentioned granted to one James Downes in the manner mentioned in the said Patent: which Patent ensues in the following words. — James Downes Junr. Pat. Confir. — 300 Acres Hopton. Rent 12s. Stg. 3 Charles &c. To all Persons to whom these presents shall come Greeting. in our Lord God everlasting. Whereas our late Father Cecilius Lord of Noble Memory, did by his Letters Patent under the great Seal of the said Province of Maryland bearing date the ninth day of September in the year of our Lord God one thousand Six hundred and Sixty eight for the Considerations therein mentioned grant unto Jonathan Hopkinson late of Talbot County in our said Province of Maryland deceased a parcel of Land for the three hundred and twenty Acres called Hopton. And whereas one John Wright deceased having Surreptitiously obtained a Patent for the aforesaid Land together with other Land called Bingly Containing Six hundred Acres whereof the said Three hundred and twenty Acres called Hopton was parcel. the said Patent was by our Justices of our Provincial Court annulled, made void and vacated upon Record and the same Land was by means thereof Forfeited into our hands which said parcel of Land, we did for and in Consideration of the Sum of Ten thousand pounds of Tobacco to us paid by the said Jonathan Hopkinson, bargain and sell unto the said Jonathan Hopkinson and his Heirs forever. And the said Jonathan happening to die before he sued forth our Letters Patent for the same James Downes the elder of the County aforesaid informed us that the said Jonathan did by his last Will and Testament under his hand and seal bearing date the nineteenth day of November in the year of our Lord God one thousand Seven hundred Seventy six