

1810.

Coakley
vs
Smith

Baltimore county, between the north and south branches of *Gunpowder* river, the one called and known by the name of *Gibson's Forest*, originally, on or about the 20th day of October 1695, was surveyed for a certain *Miles Gibson*, beginning at a bounded red oak standing on the side of a hill near a run, supposed to have been bounded for the land of *Richard Smith*, and running thence north east sixty-six perches to the end of the south-west line of his Lordship's manor," &c. containing 720 acres. "The other tract called *Warner's Chance*, originally, on or about the 17th of November 1710, was surveyed for a certain *John Warner*, for 336 acres, beginning at three bounded red oaks standing on a point near the head of a branch descending into the little falls of *Gunpowder* river, the said trees standing on the N W side of the said branch, and runs thence," &c. She also offered to read in evidence a note or memorandum entered in the said records, under the record of the said deed, in page 14 of Liber B, No. P, viz. "See alienation receipt recorded in this book fol. 534;" which memorandum is written by way of interlineation, in a different ink, and a different handwriting from the record of the said deed, namely in the handwriting of *John Beale Bordley*, then clerk of *Baltimore* county court. She also offered to read in evidence the record of a receipt for the alienation fine on the said deed, which receipt is mentioned in the said memorandum, and is recorded among the land records aforesaid in Liber B, No. P, page 534, and is stated to be endorsed on the deed from *Clark* to *Franklin* as recorded in the said book in pages 10, &c. and is as follows, viz. "Received forty-two shillings and three pence sterling, for an alienation fine of the within mentioned two tracts of land, for the use of Lord *Baltimore*, by order of his Lordship's agent *Edw. Lloyd*, esquire.

John Boyd."

She also proved to the jury that *John Boyd*, by whom the said receipt purports to be signed, was, on the 2d of August 1765, and for sometime afterwards, receiver of alienation fines in *Baltimore* county. But the plaintiff objected to the reading of the said deed and record of the said receipt; and the court, (*Nicholson*, Ch. J.) overruled the objection, and permitted the said deed and receipt to be read in evidence to the jury, which was accordingly done. The plaintiff excepted.