of the Peace for the county aforesaid legally authorised and assigned, to whom full faith and credit is and ought to be given as well in Justice Courts as the court.

In Testimony whereof I have hereunto set my hand and affixed the publick seale of the county afs^d this 29^th days of February Anno Dom 1772 -

(Seal) Phil. Ric^d Fendall clk Chas. Cty. Court.

Stafford Sct. July Court 1772 The aforegoing last will and testament of Robert Yates dec^d was presented into Court by Elizabeth Yates & Robt Yates two of the Executors in the said will named, who made oath thereto according to law, and the same being legally proved in the province of Maryland is admitted to record, and on motion of the said Executors they having complied with what is usual in such cases certificate is granted them for obtaining probate thereof in due form. Test. Henry Tyler C. S. C.

Virginia Stafford county to wit. I, John M Conway, Clerk of the Court of said county do hereby certify that the aforegoing last will and testament of Robert Yates deceased is truly copied from the Records in my office. In Testimony

(Seal) whereof I have hereunto set my hand and affixed the seal of my office this 14th day of June 1817 and in the 41 year of the commonwealth.

J. M. Conway clk.

Virginia. Stafford County to wit. I, Hancock Eustace presiding Magistrate in and for the county aforesaid do hereby certify that John M Conway (whose certificate is hereto annexed) is Clerk of the Court of said county, that his said certificate is in due form of law, and that full faith and credit is and ought to be given to all his official acts - In Testimony whereof I have hereunto set my hand and affixed my seal this 14th day of June 1817 and in the 41 year of the commonwealth.

Hancock Eustace"

To the admissibility of which evidence the Defendants counsel objected, which objection the Court sustained and gave as their opinion that the said evidence was inadmissible as the land in dispute lay in Charles County Maryland; To which opinion the Plaintiff by his counsel excepted and that the Court would sign and seal this bill of exception, which is accordingly done this 17th day of November 1825.

John Stephen (Seal)
J. R. Plater (Seal)



And thereupon the said John Doe lessee as aforesaid by his attornies aforesaid prays an appeal from the Judgment aforesaid, so as aforesaid rendered to the high

Henry D Yates's Lessee vs Elizabeth Fendall } Trespass and Ejectment. Recovery made the day of February 1821. The Plaintiff locates for his pretensions a tract or parcel of land called Russel beginning at A a post to which see the deposition of George Goodrick and runing thence in the black drawn lines N^o 1. 2 & 3 the following courses viz^t S 50° 15' E 133 ps to B a post to which see the deposition of George Goodrick then S 43° W 61 ps 12 l to C a post to which see the deposition of George Goodrick then S 39° W 151 ps to D a stone to which see the deposition of George Goodrick then to the first beginning containing 62 A^s 2 R^s & 22 ps. The Plaintiff locates also for his pretensions a tract or parcel of land called Yates's Meadows beginning the same at B and running thence in the black drawn lines N^o 4. 5. 6. 7. 8. 9 & 10 (correcting the variation of the compass from the date of the original to the year 1800) N 41° E 241 ps then N 49° W 8 ps then N 15° 15' W 39 ps then N 63° 45' W 110 ps then N 49° W 118 ps then S 32° 15' W 218 ps then S 37° 15' E 100 ps then with a straight line to the first beginning containing 47 A^s 3 R^s & 26 ps.

James Brawner (Seal) Surveyor of Charles county.

Henry D Yates's Lessee vs Elizabeth Fendall } Amendment made 15 July, 1826. The Plaintiff denies the location of Manchester as made by the defendant to be correct and counters locates the same agreeably to a certificate dated the 29th of June 1669 granted to Jonathan Maloe, beginning at B and running thence in the black drawn lines N^o 11, 15 & 16 N 19° 45' W 108 perches then N 49° E 343 perches to C then south 19° 3' E 108 perches then to B the beginning containing 246 acres 2 roods. The Plaintiff locates for illustration a tract of land called Marshall according to patent. Beginning the same at C to which see the deposition of Charles J Bruce and running thence in the black drawn lines N^o 3 to D then in the black drawn lines N^o 17 and 18 to F then to the beginning containing 209 acres 2 roods. The Plaintiff locates the tract of land of which Robert Yates Grandfather of the present Plaintiff died seized devising the same by will to his son Charles Yates the father of the present Plaintiff being the land whereon the mother of the said Robert Yates lived. Beginning the same at E and running thence in the black drawn lines N^o 19 & 20 to F 21 and 22 to C then in the black drawn line N^o 3 to D then in the black dotted line to A, then in the black drawn lines N^o 1. 2 & 3 to c, then in the black dotted line to b, and Wicomico river, then with said river to d, then in the black drawn lines N^o 23, 24, 25, 26, 27, 28, 29, 30 & 31 then to E the beginning containing 451 Acres - See the depositions of Charles J Bruce and James Dutton taken on a former location as to the land lying between the black drawn line N^o 3 from C to D and Wicomico river

James Brawner (Seal) Sur^r Chas County

Henry D Yates's Lessee vs Elizabeth Fendall } Amendment made the 17th of June 1828. The Defendant locates for illustration a tract of land called Manchester beginning the same at E a stone to which see the deposition of Thomas Dutton and running thence in the black dotted lines N^o 11, 12 & 13 the following courses viz^t S 17° 45' W 128 ps N 72° 15' E 225 ps S 17° 45' E 128 ps then to the beginning containing 739 A^s 2 R^s. The defendant locates for her defence part of Manchester beginning the same at C and running thence in the black drawn line N^o 3 S 39° W 153 ps to the black dot in the P line of Manchester neck then with the black dotted line N^o 2 N 72° 15' E 183 ps to a, the end thereof then with the black dotted line N^o 3 to Wicomico river then down and with said river to b, then to the beg^g cont^g 102 A^s 3 R^s. The Defendant locates a deed from Robert Yates to Henry D Yates dated the day of for a tract of land called Manchester beginning the same at E and running thence in the black dotted lines N^o 11, 12 & 13 then to the beginning containing 739 A^s 2 R^s.

The Defendant locates a second deed from Robert Yates to Henry D Yates dated