of the land and negroes for which this action is brought rested their cause. Whereupon the Defendants counsel offered in evidence a writ of replevin issued on the eighth day of April eighteen hundred and eighteen out of Anne Arundel county court in favor of Nicholas Watkins of Thomas against Lurana Stockett with the avowed object of showing that Mrs Stockett was then in the adverse possession of the negroes in said writ mentioned, which were admitted to be the same conveyed by John Stockett to Nicholas Watkins of Thomas by the deed of twenty eighth of June eighteen hundred and sixteen already given in evidence by the Plaintiffs, on which said writ was endorsed "replevied and delivered" by the then Sheriff of Anne Arundel county, Robert Welch of Rev who being thereupon called by the Plaintiff testified that on the service of the said writ by order of the Plaintiff and with his permission the said negroes were not taken out of the possession of Mrs Stockett but still left with her as the witness had found them, and the witness informed Mrs Stockett at the time of service that his orders were still to leave them in her possession and she joyfully acquiesced therein and appeared to be thankful. And thereupon the Docket entries in the said cause were produced by the Defendant, by which it appeared that a returno habendo bond was filed in said cause on the twenty eighth day of April eighteen hundred and eighteen and property returned entered by the Clerk, and the said bond was produced, and that the said cause was entered "discontinued" by consent without costs at October term eighteen hundred and twenty two.

And thereupon the Plaintiff offered to prove by a competent witness that during the time Mrs Stockett was in possession of the said negroes, both before and after the said replevin was issued, she admitted and declared to the witness that she held and enjoyed the same under the permission and consent of the said Nicholas Watkins of Thomas. To which evidence so offered the Defendant by his counsel objected but the Court overruled the objection, being of opinion that the same was competent evidence in this cause. To which opinion of the Court and the admission of said evidence the Defendant by his counsel prayed leave to except and that the Court would sign and seal this his bill of exception, and which is accordingly done this twentieth day of October in the year of our Lord one thousand eight hundred and twenty seven.

Chs. S. Kilgour (Seal)
J. H. Wilkinson (Seal)

Rachel H. Watkins and Benjamin Watkins admrs of Nicholas Watkins of Thos
vs
Joseph N. Stockett.

Case. Anne Arundel County Court October Term 1827.

On the testimony contained in the exceptions in this cause and which is the whole testimony in the cause. The Defendant by his counsel prayed the Court to instruct the Jury that if they should be of opinion from the evidence that the Plaintiff is entitled to recover in this suit he can only claim under the issues and upon the evidence in this cause so much of the rent for the land and of the hire of the negroes as became due within three years before the institution of this suit. But the Court refused to give the instruction, being of opinion that the declarations of the Defendant proved by the witnesses as stated in the first bill of exceptions, if the Jury believe that evidence, prevented the plea of limitations from being a bar to any part of the claim, if the Jury should be of opinion that the Plaintiffs have a claim

the Court thinking the whole evidence proper to be left to the Jury. To which refusal and opinion of the Court the Defendant by his counsel prayed leave to except and that the Court would sign and seal this his bill of exceptions and which is accordingly done this twentieth day of October in the year of our Lord one thousand eight hundred and twenty seven.

Chs. S. Kilgour (Seal)
J. H. Wilkinson (Seal)

Rachel H. Watkins and Benjamin Watkins admrs of Nicholas Watkins of Thos
vs
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In addition to the matters set forth in the preceding exceptions of Plaintiffs and defendant which are to be considered parts of this bill of exceptions, The Defendants for the purpose of proving that the relation of Landlord and Tenant did not exist between the original Plaintiff and the Defendant before October Term eighteen hundred and twenty two, offered in evidence the declaration and proceedings in an action of ejectment brought at April Term eighteen hundred and eighteen by the original Plaintiff against one Lurana Stockett as the tenant then in possession of certain lands. "State of Maryland, Anne Arundel County to wit, Richard Ferm late of Anne Arundel county yeoman was attached to answer unto John Dorsey in a plea wherefore with force and arms and so forth at the county aforesaid he entered into those two tracts or parcels of plantable land called Bridge Hills and Doden, lying and being in Anne Arundel county aforesaid containing two hundred acres with the appurtenances which Nicholas Watkins of Thomas demised to the said John for a term of years which is not yet expired and ejected him from his said farm and other wrongs to the said John there did to the great damage of the said John and against the peace government and dignity of the State and so forth. And whereupon the said John by James Shaw his attorney complains that the said Nicholas Watkins of Thomas on the first day of April in the year of our Lord one thousand eight hundred and eighteen at the county aforesaid had demised to the said John those two said tracts or parcels of plantable land called Bridge Hills and Doden lying and being in the county aforesaid containing two hundred acres with the appurtenances. To have and to hold the same to the said John and his assigns from the thirty first day of March eighteen hundred and eighteen for and during and unto the full end and term of fifteen years from thence next ensuing and fully to be complete and ended by virtue of which said demise the said John entered into the said tracts or parcels of plantable land with the appurtenances and was possessed thereof and being so possessed thereof the said Richard afterwards to wit, on the said first day of April in the year aforesaid with force and arms that is to say with swords staves and knives at the county aforesaid entered into the said tracts or parcels of plantable land with the appurtenances which the said Nicholas Watkins of Thomas had demised to the said John in manner aforesaid for the term aforesaid, which is not yet expired and ejected the said John from his said farm and other wrongs to the said John there and there did to the great damage of the said John and against the peace government and dignity of the State and so forth. Whereupon the said John says he is injured and has damage to the value of one thousand dollars current money and therefore he brings his suit and so forth.

James Shaw Attorney for Plaintiff.

To Mrs Lurana Stockett tenant in possession of the premises or of some part thereof.

Madam - I am informed that you are in possession of or claim title to the premises