and Catharine his wife (who was the wife of the said Hugh deceased) by William Price their attorney demand against the said defendants the third part of a tract of land, being part of a tract called Conococheague Manor, and of a tract called "Number Five" one of the reserves of said Manor situate in Washington county aforesaid, and heretofore conveyed to the said Hugh McCauley by a certain Charles McCauley together with the improvements and appertenances thereunto belonging, which the said James Grimes and Catharine his wife claim as the dower of the said Catharine in the lands and tenements of the said Hugh her late husband, by the writ of the State of Maryland of Dower whereof she has nothing, and which the said Defendants unjustly detain from the said James Grimes and Catharine his wife, to the damage of the said James Grimes and Catharine his wife in the sum of five thousand dollars current money and therefore they bring suit and so forth.

Wm. Price Atty. for Plaintiffs.

A copy of which said declaration was made and sent with the writ which issued in the plea aforesaid and so forth. And now here at this day to wit the third Monday of November being the twenty first day of the same month, in the year of our Lord one thousand eight hundred and twenty five, and the day of the return of the foregoing writ comes into Court here the said James Grimes and Catharine his wife by their attorney aforesaid and the Sheriff of Washington county aforesaid, to wit, Alexander Neill Gentleman, to whom the foregoing writ was in form aforesaid made and directed, makes return thereof to the Court here thus endorsed to wit, "Non est John and Thomas - summoned the others. Alex. Neill Shff. And thereupon on motion of the said Plaintiffs by their attorney aforesaid, it is ruled by the Court that the said Defendants answer to the declaration aforesaid of the said James Grimes and Catharine his wife in the plea aforesaid: And the said Defendants by Henry H. Gaither and David Q. Voot their attornies come and defend the force and injury when and so forth, and pray leave of the Court here to imparle until the fourth Monday of March next, and then to answer to the declaration aforesaid of the said James Grimes and Catharine his wife in the plea aforesaid, and they have it, the same day is given to the said James Grimes and Catharine his wife also. At which mentioned fourth Monday of March being the twenty eighth day of the same month in the year of our Lord one thousand eight hundred and twenty six, until which day the said defendants had leave to imparle and then to answer to the declaration aforesaid of the said James Grimes and Catharine his wife in the plea aforesaid, come into Court here as well the said Plaintiffs by their attorney aforesaid, as the said Defendants by their said attornies and the said Defendants by their attornies aforesaid, pray leave of the Court here further to imparle until the third Monday of November next, and then to answer to the declaration aforesaid of the said Plaintiffs in the plea aforesaid, and they have it, the same day is given to the said Plaintiffs also. At which mentioned third Monday of November being the twentieth day of the same month, in the year of our Lord one thousand eight hundred and twenty six, come again into Court here as well the said Plaintiffs as the said Defendants by their attornies aforesaid. Whereupon further process of and upon the premises aforesaid, between the parties aforesaid, by consent of the said parties by their

attornies aforesaid and by order of the Court here thereon is further continued until the fourth Monday of March next. At which mentioned fourth Monday of March being the twenty sixth day of the same month, in the year of our Lord one thousand eight hundred and twenty seven, come again into Court here, as well the said Plaintiffs, as the said Defendants by their attornies aforesaid and the said Defendants by their said attornies come and defend the force and injury when and so forth, and say that they cannot deny the action aforesaid of the said James Grimes and Catharine his wife so as aforesaid against them brought, nor but that the said James Grimes and Catharine his wife ought to have their dower of the third part of the lands and tenements aforesaid in the declaration aforesaid mentioned, and the said defendants further say that this confession is by them made subject to the opinion of the Court here upon the following statement of facts to wit.

James Grimes and Catharine his wife vs. John S. Hamilton Sale	Summons in Dower. March Term 1827.

The following facts are admitted in this cause; Charles McCauley deceased purchased in his lifetime the land in the declaration mentioned from Frisby Tilghman, who at his request conveyed the same to Charles McCauley Junr. by the following deed. "This Indenture made this twentieth day of August in the year of our Lord one thousand eight hundred and eight between Doctor Frisby Tilghman of Washington county in the State of Maryland of the one part, and Charles McCauley Junr. of the County and State aforesaid of the other part, Witnesseth, that the said Doctor Frisby Tilghman for and in consideration of the sum of four thousand four hundred and ninety five pounds, ten shillings current money of Maryland to him in hand paid by the said Charles McCauley Junr. before the sealing and delivery of these presents, the receipt whereof he the said Doctor Frisby Tilghman doth hereby acknowledge and from every part and parcel thereof doth hereby acquit, exonerate and discharge the said Charles McCauley Junr. his heirs executors and administrators, he the said Doctor Frisby Tilghman hath granted, bargained, sold, aliened, enfeoffed and confirmed, and by these presents doth grant, bargain and sell, alien, enfeoff and confirm unto the said Charles McCauley Junr. his heirs and assigns all that part of "Conococheague Manor" and of a tract patented by the name of "Number Five" being one of the reserves of said Manor. Beginning at the end of the fifth line of a deed from Samuel Ringgold to Ann Cheston for five hundred and twenty six and three quarter acres, and bearing date the twenty fourth day of June in the year of our Lord one thousand eight hundred and eight, and running thence south nine degrees, west one hundred and forty perches, south eighty six and a quarter degrees west two hundred perches, south six degrees, west thirty six perches to a beech stake, south two degrees East forty four perches, north eighty seven and a half degrees West eight perches to a large black oak tree standing at the end of the last line of a conveyance from Samuel Ringgold to Joseph Spriggs for eight hundred and forty and a half acres part of "Conococheague Manor" and of "Number Five", north eighty seven and a half degrees, West fifteen perches to a stake the end of a line drawn south twenty five degrees, West forty eight perches and nine links from the end of the third line of this survey, north eighty nine degrees, West twenty perches to a black oak marked with twelve notches, South eighty four degrees West sixty seven and a half perches to a black oak at the mouth of a lane, north seventy four degrees, west ninety four perches, north thirty and a half degrees east sixty perches and four links to a stone set up at the end of a line of Sopers land north twenty nine and a half degrees, West twelve perches, north twenty one degrees east one hundred