was to the best of his apprehensions of sound and disposing mind memory and understanding, and that he together with William B Smoot of Thomas, Samuel Hawkins and Henry Hall Thereson the other three subscribing witnesses respectively subscribed their names as witnesses to his will, in the presence and at the request of the testator, and in the presence of each other.

Test Humphrey Barnes Reg of Wills

Maryland Charles County Sc. I hereby certify that the aforegoing will is truly copied from one of the records of the Orphans Court of Charles County.

In Testimony whereof I have hereunto subscribed my name and affixed the seal of said Court this first day of December in the year of our Lord one thousand eight hundred & thirty three.

H Brawner Reg Wills for Chas County

And the said Elizabeth E B Hawkins by Walter H Smoot her guardian and next friend by her attorney aforesaid files in Court here the following additional reasons to wit.

In addition to the objections filed the following and others which will be urged by Counsel.

The sale under the Venditioni exponas was void, because, 1st. The judgment under which it was sold was satisfied two weeks before the sale by a payment by a third person, yet the sale took place under the writ issued by the original plaintiff before such satisfaction - that in that the land was sold to satisfy a judgment and John Matthews, when John Matthews had received the full amount of such judgment two weeks previous to such sale. Secondly. Because the sale took place nearly four months after the return day of the said Venditioni exponas, and after the intervention of a Court between the time of its issuing and that of the sale under it. 3d That the liens which were said to have attached upon the lands sold, do not and did not attach at the time of sale, save upon a very small part of the lands sold, which were purchased by said Hawkins in his life time. The only interest of the said Hawkins being an estate pur de vie in another part of said lands, and a remainder not reduced into possession in the other and largest part. Upon neither of which interests do judgments constitute a lien in the opinion of Counsel, save by the issuing and levying a fieri facias, consequently that as no such fieri facias was issued upon the other judgments, they would not be liens upon the lands in the hands of the present purchasers.

Thereupon further process of law upon the premises aforesaid between the parties aforesaid, by consent of said parties and their attorneys aforesaid, and by order of the Court here thereon is further continued unto the third Monday in August next. At which said third Monday of August being the nineteenth day of the same month in the year of our Lord one thousand eight hundred and thirty three comes again into the County Court here the said by their attorneys aforesaid, as the said Elizabeth E B Hawkins by Walter H Smoot her guardian and next friend by her attorney aforesaid, and the said Elizabeth E B Hawkins by Walter H Smoot her guardian and next friend by her attorney aforesaid files in Court here the following additional depositions to wit.

"Charles County to wit. Be it remembered, that on this 16th day of November eighteen hundred and thirty three, personally appeared

before me the subscriber one of the State of Maryland's Justices of the peace for Charles County, Charles Robey Sen. and makes oath on the Holy evangels of Almighty God that he has known the land of which Henry Smith Hawkins died possessed for fifty years, that take it altogether he thinks it equal to any land in Charles County and worth at the most moderate valuation twelve dollars per acre.

Sworn before Charles ell Tarr.

On the back of the aforegoing deposition is the following endorsement to wit "Filed the 16th day of Novem 1833 and received by consent of Counsel

Test John Barnes Clk.

Charles County to wit. Be it remembered that on this fourteenth day of November 1833 personally appeared before a Justice of the peace for Charles County, Edward Edelen Sen. and makes oath on the Holy Evangels of Almighty God, that he has long known all the land of which Henry S. Hawkins died seized and possessed, and that he thinks all the land is worth at a fair average value, twelve dollars per acre, he is particularly acquainted with the various parcels called Hawkins Smith Ford, Hogs Range and Saturdays Work, and thinks each worth twelve dollars per acre, that Hog Range is particularly valuable on account of the heavy growth of timber, that Saturdays work is fertile soil, and with some ditching would be worth much more than the value he appraised it at, and that Hawkins Smith Ford is not only fine fertile land and fully worth the amount he values it at, that Saturdays Work could well have been sold separately from the rest, as it is a distinct and separate parcel of land, and that Hogs Range likewise might have been seperately sold without any injury to the rest, as it is likewise distinct, that were the alternate offered him, he would even prefer the land to the amount in money, appraising it at twelve dollars per acre.

Sworn before Josias Hawkins

On the back of the aforegoing deposition is this written to wit.

Filed 14th of Novem. 1833 received by consent of Counsel 16th of Novem 1833.

John Barnes Clk.

Whereupon for that the Court here are not advised to give their judgment of and upon the premises aforesaid day therefore is further given to the said parties to hear their judgment until the third Monday in March next for that the other Court here as yet are not advised.

And now here at this day to wit the third Monday in March being the seventeenth day of the same month in the year of our Lord one thousand eight hundred and thirty four come again into the County Court here as well the said Richard Widdleton and Alexander Widdleton by their attorneys aforesaid as the said Elizabeth E B Hawkins by Walter H Smoot her guardian and next friend by her attorney aforesaid, and the said Richard Widdleton and Alexander Widdleton by their attorneys aforesaid file in Court here the following additional depositions to wit.

The additional deposition of John Matthews - being duly sworn on the Holy Evangels of Almighty God, deposeth and saith, that when William B. Stone Esquire paid deponent the amount of the judgments under which the lands were sold as stated in Deponents former deposition. Deponent was under the impression the payment was made in consequence of former promises made by him to deponent - Taken and sworn to in open Court this 29th day of March 1834.

John Barnes Clk.