June Term 1844

The Caveators aforesaid by their proctor aforesaid on demand of them made by the Caveatees aforesaid by their proctor aforesaid produced in Court and delivered over to the proctor for said caveatees a paper purporting to be an article of agreement between the said Joshua Sedwick the deceased in his lifetime and the Caveator Jane which is in the words following to wit:-

Articles of agreement made, concluded and agreed upon this fifth day of November in the year of our Lord one thousand eight hundred and forty one between Joshua Sedwick of Calvert County in the State of Maryland of the one part and Jane Freeman of the County and State aforesaid of the other part whereas a marriage is intended by Gods permission shortly to be had made and solemnised between the said Joshua Sedwick and the said Jane Freeman and whereas the said Jane Freeman have the right of her fathers undivided estate they and each of them have agreed to enter into the covenants and agreements hereinafter mentioned that is to say that he the said Joshua Sedwick after the said intended marriage shall be solemnised shall and will always and at all times thereafter so long as they the said Joshua Sedwick and Jane Freeman shall live together as man and wife will use treat and provide all and everything convenient and necessary for her the said Jane Freeman as becoming or due or reasonably expected for her as his wife and the said Joshua Sedwick for himself his heirs executors administrators or assigns doth further covenant and grant that the said Jane Freeman after the intended marriage shall be solemnised shall have the free and entire use and disposal of the property she may claim of her fathers estate or may hereafter possess by gift descent or bequeath as likewise all the property of her father now undivided and also if the said Jane Freeman shall die without issue having made no provision by last will and testament which is by this agreement considered should be the said Joshua Sedwick survive to be as much at liberty to do as though she were a feme sole then and in that case the property which the said Jane Freeman now possesses or may hereafter possess in the manner above described and its future increase shall descend and go to the relatives of the said Jane Freeman but in case she should leave heirs begotten of her body by the said Joshua Sedwick then and in that case the said property and its increase shall descend to them and the said Jane Freeman in consideration of the above covenants and agreements doth for herself her heirs executors administrators or assigns in case she should survive the said Joshua Sedwick renounce relinquish and quit claim to any right of dower which she could or might be in any wise entitled to of any and all the property which he the said Joshua Sedwick now possesses or may hereafter in any manner possess and also that all the debts which she may be owing at the time of the said intended marriage should be paid out of the property she may then possess and that the said Joshua Sedwick shall not be in any manner lendthened with them and lastly for the faithfull performance of the covenents and agreements herein specified to take place after the intended marriage shall be solemnised the said Joshua Sedwick hereby binds himself his heirs executors and administrators to stand to abide by perform and fulfill the same under the penalty of one thousand dollars current money to be paid to a certain James C. Sedwick his heirs or assigns to and for the use and benefit of the said Jane Freeman her heirs and assigns forever- In witness whereof the said Joshua Sedwick and Jane Freeman have hereunto subscribed their names and affixed there seals the day and year first herein before written.-

June Term 1844

Signed sealed and delivered in the presence of Gamaliel Bowen, Benjamin S. Bowen. } Joshua Sedwick (Seal) Jane C. Freeman (Seal)

Calvert County State of Maryland to wit On this fifth day of November in the year of our Lord eighteen hundred and forty one personally appeared before us two Justices of the peace in and for the County aforesaid Joshua Sedwick and Jane Freeman and acknowledged the foregoing instrument of writing to be there act and deed according to the true intent and meaning thereof and the act of Assembly in such case made and provided we also certify that of our own knowledge - we know that the said Joshua Sedwick and Jane Freeman who has acknowledged the foregoing deed or instrument of writing is the identical persons who is mentioned and described as and possessing to be persons mentioned therein-

Gamaliel Bowen, Benjamin S Bowen,

The said paper is produced by the proctor for the Caveators under a notice requiring the production thereof served on him by the proctor for the caveatees and the said proctor for the Caveators acknowledging service of notice on him to produce a certain bond of conveyance alledged to have been made or given by Thomas I. Sellen to the said Joshua Sedwick deceased in his lifetime declared in Court here that a diligent search had been made by the Caveator Jane amongst the papers of said deceased in her possession and under her control, and that no such paper was to be there found. Und thereupon the caveatees aforesaid by their proctor aforesaid exhibit to the Court here the aforesaid articles of agreement and likewise exhibit and file in Court here the following interrogatories to be propounded to ~~be propounded to~~ Gamaliel Bowen who is by the said Caveatees alledged to be one of the attesting witnesses to said contract-

Interrogatories to be propounded to Gamaliel Bowen witness for caveatees- 1st. Look upon the paper now presented and marked No one purporting to be a marriage contract entered into between Jane C. Freeman and Joshua Sedwick on the fifth of November 1841- Did you see the said Jane C. Freeman and Joshua Sedwick execute the said agreement, and did they acknowledge it before you as Justice of the peace-

2d. Did or did not Jane C. Freeman reside in the House of Joshua Sedwick for several years before his death, if yea how long she resided there and was she living there in 1837.-

Gamaliel Bowen a witness of lawful age being produced on the part of the caveatees and Sworn deposed to said interrogatories as follows

To the 1st. Answers that he did see the said Joshua and Jane execute said paper, and acknowledge the said paper before him as a Justice of the peace.

To the 2d. Answers that the said Jane lived with the said Joshua several years before his death and he believes she was there in the year eighteen hundred and thirty seven and believes the said Jane was pretty much raised there.

And the Caveatees aforesaid by their proctor aforesaid also exhibit the following paper, which is as follows to wit:-

Know all men by these presents that I Thomas I. Sellen Joseph I. Sellen and James Talbott of Calvert County and State of Maryland are held and firmly bound unto Joshua Sedwick in the full and just sum of three thousand dollars current money to be paid to the said Joshua Sedwick his heirs executors or administrators to the true payment of which I bind myself my heirs executors or administrators