the Chancellor being satisfied by indifferent testimony that the said sale was fair & advantageous for the parties.

A.C. Z. Dawson Chancr.

Maryland ss. In Testimony that the aforegoing is a true Copy from the Record of Proceedings of the State of Maryland high Court of Chancery I have hereto affixed the great seal of said State this 13th day of July 1810.

Test Nicht Brewer Reg Cur Cra

To the Honorable Alexander Contee Dawson Esquire Chancellor of Maryland

The Subscriber begs leave to report to your Honor that he was heretofore by Decree of your Honorable Court appointed Trustee to make sale of certain Lands belonging to the heirs of William Talemar late of Queen Anns County deceased, and that he made report to your Honor of the sales by him made. He begs leave now to report to your Honor, that since the sale of the Land in the beforementioned Decree mentioned he discovered that there were fourteen acres of land called Spys Chance, adjoining the Lands before sold belonging to the said heirs which he considered could not be distinguished between the heirs he therefore sold the said fourteen acres of land to James Magsey the purchaser of the other Lands at five pounds three shillings & one the price that the other Lands had sold at & has received the money for the same amounting the principal sum & some interest thereon to ninety three pounds seventeen shillings. The Trustee did not know at the time of the Bill and Decree that the Minors were entitled to these fourteen acres, he therefore prays your Honor to confirm the sale of the said fourteen acres of land, the last sale was made on the seventeenth of August in the year seventeen hundred and ninety five. The Trustee was and is of opinion that it was better & more advantageous to the said heirs to make sale of the said Lands than to keep them as it could have been of no service to the heirs if kept by them — All which is submitted to your Honor.

Abraham Talemar — December 18th 1796.

Baltimore County, to wit. 18th Decr 1796. Abraham Talemar made Oath before me the Subscriber one of the Justices of the peace for the County aforesaid that the several facts stated in the written report are true as therein stated. Sworn before. Joshua Lemmon

In Chancery December 22nd 1796. Ordered that the sale made by Abraham Talemar Trustee for sale of the real estate of William Talemar deceased as stated in his report dated Decr 18th 1796. be and it is hereby absolutely approved ratified & confirmed.

A.C. Dawson Chancr.

Maryland ss. In Testimony that the aforegoing is a true Copy from the record of Proceedings of the State of Maryland high Court of Chancery — I have hereto affixed the great Seal of the said State this thirteenth day of July in the year of our Lord one thousand eight hundred and ten —

Test Nicht Brewer Reg Cur Cra

he then proved by competent testimony that James Magsey, the purchaser died intestate in the year fourteen hundred and ninety five, and left James Magsey and Joshua Magsey his only children and heirs at law — He then proved by competent evidence the payment of the purchase money to Abraham Talemar the Trustee, by James Magsey, the brother of James Magsey the purchaser, and prayed the Court to direct the Jury that the legal estate and title in the lands sold by Abraham Talemar was vested in the heirs of James Magsey the purchaser, under the Act of the Assembly by operation of law on the payment of the purchase money without a Deed from the Trustee which direction the Court refused to give being of opinion that the legal Estate in the lands in question could not be conveyed agreeably to the acts of Assembly in this State, otherwise than by Deed enrolled from the Trustee to the purchaser to which opinion the plaintiff prayed leave to except and that the Court would sign and seal this his Bill of Exceptions which is accordingly done this second day of November in the year of our Lord 1811.

Joshua Magsey Lessee } Ejectment — At the trial of this cause the plaintiff for the purpose of
vs. } supporting the issue joined on his part and to prove title in James
Elizabeth Magsey — } Magsey and Joshua Magsey under whom he claims produced & read in evidence to the

Lemuel Ormell (Seal)

Jury the patent of one of the tracts of land mentioned in the Declaration called Friendship granted to Colo Richard Tilghman which here follows, to wit Colo Richard Tilghman Patt 520 acres Friendship — Charles &c Know ye that for and in consideration that Colo Richard Tilghman of Queen Anns County, in our said Province of Maryland hath due unto him five hundred & twenty acres of land within our S. Province by virtue of so much part of a Warrant for nine hundred and seventy one acres granted him, bearing date by renewment the nineteenth day of October seventeen hundred and twenty one as appears in our Land Office, and upon such conditions of plantat. of our S. Province, bearing date the fifth day of April sixteen hundred and eighty four & remain upon record in our S. Province, together with such alterat. as in them are made by our further Condition bearing date the fourth day of December sixteen hundred and ninety six together also with the alterat. made by our instructs bearing date at London the twelfth day of Sept. seventeen hundred and twelve & registered in our Secretarys Office, of our S. province We do therefore hereby grant unto him the said Richard Tilghman all that tract or parcel of land called Friendship, lying in the County aforesd on the southwest side of the Unicorn branch, Beginning at a pounded red Oak marked with twelve notches for four corners and standing by the side of the aforesd branch, near the plantat. of William Walker & running from S. Oak north fifty three degs East forty six pches then North ten degs West one hundred and forty pches, then North thirty three degs West one hundred and seventy two pches then North pches six degs West twenty pches. then North thirty five degs West fifty pches then North thirty seven degs East fifty eight pches. then West North West two hundred & fifty pches, then South nine degs East one hundred & seventy two pches. then South East eighty pches & from thence a straight line to the aforesd red Oak contain & now laid out for five hundred & twenty acres of land more or less, according to the Cert of survey thereof taken & returned into our Land Office bearing date the thirtieth day of March seventeen hundred and twenty one and there remaining together with all rights profits benefits & privileges thereunto belonging (royal mines excepted) To Have & To Hold the same unto him the said Richard Tilghman his heirs and assigns forever, to be holden of us and our heirs as of our Manor of Baltimore in Queen Anns County, in free & common socage by fealty only for all manner of services yielding & paying therefore yearly unto us, and our heirs at our receipt at the City of St. Marys at the two most usual feasts in the year viz. the feast of the annunciation of the blessed virgin mary & St. Michael the Arch angel by even & equal portions the rent of twenty shillings and nine pence half penny sterling in silver & gold & for a fine upon every alienation of the said land or any part or parcel thereof one whole years rent in silver or gold or the full value thereof in such Commodities as we and our heirs or such Officer or Officers as shall be appointed by us or our heirs from time to time to collect and receive the same shall accept in discharge thereof at the Choice of us and our heirs or such Officer or Officers aforesd. Provided that if the said sum for a fine for alienation shall not be paid unto us and our heirs or such Officer or Officers aforesd before such alienation & the said alienation entered upon record either in the prov. Court or County Court where the same parcel of land lyeth 10 days in one month next after such alienation then the said alienation shall be void and of no effect. Given under Great Seal of our S. Province of Maryland this tenth day of Oct. seventeen hundred and thirty two. Witness our trusty and well beloved Samuel Ogle Esq. Lieut. General & Chief Governor of our said Province Chancellor & Keeper of the Great Seal thereof

Sam. Ogle Chancr.

(Great Seal)

In Testimony that the aforegoing is a true Copy from Liber PL No 8. folio 682. one of the records belonging to the Land Office of Maryland. I have hereto set my hand & affixed my Official Seal this 19th day of August 1808. John Kilty Reg. Lnd Off. Ws.

(Seal of Office W. Shore)

He then handed a regular title down from the said Richard Tilghman to part of the said tract of land called Friendship to William Talemar — He then for the same purpose produced and read in evidence the patent of the other tract of land called Friendship granted to Frances Spry which also follows in these words to wit. Frances Spys patent 200 acres Friendship

Charles &c Know ye that Whereas Richard Tilghman of Queen Anns County Esq. by his humble petition to our Agent did set forth that there was about the qty of two hundred