Subscribing Witnesses to the foregoing last Will and Testament of Clement Sewell late of Queen Ann's County deceased and made Oath on the holy Evangels of Almighty God, that he saw the Testator therein named Clement Sewell sign and seal the said Will and Codicil thereto and heard him publish, pronounce and declare the same to be his last Will and Testament and the Codicil thereto to be a Codicil to said Will, that at the time of his so doing he was to the best of his apprehension of sound & disposing mind, memory and understanding and that he subscribed his name and saw James Davidson and James Conway subscribe their respective names as Witnesses to the said Will in the presence and at the request of the Testator and in the presence of each other, and further that he subscribed his name and saw James Davidson and Richard Seligman Earle Subscribe their respective names as Witnesses to the Codicil to said Will in the presence and at the request of the Testator and in the presence of each other — Certified by Richard Willson Reg.r Wills Queen Ann's County.

In Testimony that the foregoing is truly copied from the original last Will & Testament & Codicil to the last Will and Testament of Clement Sewell as filed of Record in my Office I hereto set my name & the public seal of my Office affixed this twenty third day of July Eighteen hundred and sixteen. (Seal of Queen Ann's County Orphans Court) Thos. C. Earle Reg.r Wills Q. Ann's County.

She also produced and read in evidence to the Jury the following paper signed by Stephen Lowey and William Hutchinson — Stephen Lowey and William Hutchinson Arbitrators chosen and named by John Sotheron and Charles Sewell in their Bond dated April the fifteenth A.D. one thousand eight hundred and one to arbitrate and determine a difference or controversy between the said John, and the said Charles relative to the Dower of Cornelia Sotheron in two tracts of land one named Hopkins Hill, the other named Willsons Adventure lying in Queen Ann's County Maryland, having duly considered the same, do hereby award to the said Cornelia wife of the said John Sotheron the entire annual use and benefit, or net annual product of the tract of land named Willsons Adventure as aforesaid with its appurtenances in lieu of her Dower in the aforesaid two tracts of land, and we are of opinion that the said Cornelia ought to have and receive the same accordingly — Given under our hands this tenth day of June A.D. one thousand eight hundred and one — Wm. Hutchinson. Stephen Lowey.

Which paper was received and read in evidence to the Jury without proof by consent of the Counsel for defendant, It was also admitted by the Counsel for defendant, that John Sotheron & wife were in possession of the premises claimed in the Declaration after the execution of the said paper, and that one James Governor was in possession of same as their Tenant, and that John Sotheron is dead about eighteen months since —

The Defendant for the purpose of supporting the issue joined on his part produced and read in evidence to the Jury a record of a Judgment obtained by John Duhamell adm.r of Nathan Wilkinson against Cornelia Sewell Executrix of Clement Sewell in Queen Ann's County Court at May Term 1797 — On the records and proceedings of Queen Ann's County Court, is contained the following, to wit: State of Maryland Queen Ann's County to wit. At a County Court held for Queen Ann's County at Centreville in said County, on the first Monday in May it being the seventh day of the said month in the year seventeen hundred and ninety nine, by the Commissioners & Officers appointed and empowered to hold the same Court of whom were present

The Honble James Seligman Esquire Chief Justice
William Ringgold and Jonathan Bready Esquires ass.t Justices
Henry Costin Esquire Sheriff
Samuel E. Wright Clk.

In the Record of proceedings of the same Court, amongst others were the following, to wit:

John Duhamell, admr. of Nathan Wilkinson against Cornelia Sewell, Exr. of Clement Sewell — Be it remembered that heretofore to wit on the twenty sixth day of April in the year seventeen hundred and ninety seven the said John Duhamell admr. of Nathan Wilkinson deceased by Nehemiah Lowey his Attorney, prosecuted and sued forth out of Queen Ann's County Court here, the Writ of the State of Maryland of Capias ad respondendum, directed to the Sheriff of Queen Ann's County in the words and of the tenor following, to wit. Queen Ann's County to wit. The State of Maryland. To the

Seal of Queen Ann's County Court — Sheriff of Queen Ann's County greeting: You are hereby commanded to take Cornelia Sewell Executrix of the Testament & last Will of Clement Sewell of Queen Ann's County deceased if she shall be found in your bailiwick and her safe keep, so that you have her body before the Justices of our next County Court to be held for Queen Ann's County at Centreville on the first Monday in May next to answer unto John Duhamell administrator of all and singular the goods and chattels rights and credits which were of Nathan Wilkinson deceased at the time of his death who died intestate as it is said of a plea of Trespass upon the Case and so forth — Thereof fail not at your peril and have you then and there this Writ. Witness the Honorable James Seligman Esquire Chief Justice of our said Court the 1st day of November Anno Domini 1796 Issued Apl. 26th 1797. by Sam. Wright Clk.

At which said first Monday of May being the first day of the same month in the year seventeen hundred and ninety seven and the return day of the said Writ, comes into Court here the said John Duhamell administrator as aforesaid by his Attorney aforesaid, and the Sheriff of the County aforesaid to whom the said Writ was in form aforesaid directed makes return thereof to the Court here thus endorsed to wit. Queen Ann's County, to wit. By virtue of this Writ to me directed, the said Cornelia Sewell Executrix of the last Will and Testament of Clement Sewell deceased is not to be found in my Bailiwick whose body I have not ready before the Court here within named, at the day and place within contained as I am within commanded. Philemon C. Blake Sheriff — And the said Cornelia Sewell being called as aforesaid does not come — Whereupon the said John Duhamell administrator as aforesaid, by his Attorney aforesaid prosecutes and sues forth out of Queen Ann's County Court here, an alias Writ of Capias ad respondendum, to the Sheriff of Queen Ann's County aforesaid directed, in the words and of the tenor following to wit: Queen Ann's County to wit. The State of Maryland. To the Sheriff of Queen Ann's County Greeting: You are hereby commanded to take Cornelia Sewell Executrix of the Testament & last Will of Clement Sewell of Queen Ann's County deceased if she shall be found in your bailiwick and her safe keep so that you have her body before the Justices of our next County Court to be held for Queen Ann's County at Centreville on the fourth Monday of October next to answer unto John Duhamell administrator of all & singular the goods and chattels rights and credits which were of Nathan Wilkinson deceased at the time of his death who died intestate as it is said of a plea of Trespass upon the Case and so forth — Thereof fail not at your peril and have you then and there this Writ. Witness James Seligman Esquire Chief Justice of our said Court the first day of May Anno Domini 1797. Issued the tenth day of July 1797. Sam. E. Wright Clk.

At which said fourth Monday of October being the twenty third day of the said month in the year seventeen hundred and ninety seven, and the return day of the last aforesaid writ comes again into Court here the said John Duhamell administrator as aforesaid, by his Attorney aforesaid and the Sheriff of the County aforesaid, to wit, the said last mentioned Writ was in form aforesaid directed makes return thereof to the Court here thus endorsed to wit. Queen Ann's County, to wit. By virtue of this Writ to me directed I have taken the within named Cornelia Sewell Exr. as aforesaid whose body I have ready before the Court within named at the day & place within contained as I am within commanded — Philemon C. Blake Sheriff — And the said Philemon C. Blake Sheriff of Queen Ann's County, although solemnly called upon by a cry of the Court here, on motion of the said John Duhamell administrator as aforesaid by his Attorney aforesaid to bring into Court here the body of the said Cornelia Sewell Executrix as aforesaid whom he ought to have here this day in pursuance of the command of the writ aforesaid and according to the tenor of his return thereof as aforesaid, brings not into Court here the said Cornelia Sewell Executrix as aforesaid, but therein doth make default; Whereupon on motion of the said John Duhamell administrator as aforesaid by his Attorney aforesaid it is prayed by the Court here that the said Philemon C. Blake Sheriff of Queen Ann's County as aforesaid be amerced the sum of five shillings current money in case the said Philemon C. Blake brings not into Court here the body of the said Cornelia Sewell Executrix as aforesaid, on the first Monday of May, and the same day is given to the said John Duhamell, administrator as aforesaid also. — At which said first Monday of May being the seventh day of the said month in the year seventeen hundred & ninety eight