plaintiff when necessary should be read to the Jury and have the same effect as if deducted orally to them.-

J. M. S. Lemmon, for plff.-
R. J. Brent, for Deft.-"

And having proved that the Defendants testator occupied the lands of J. Noble Stonestreet during 1834, 1835 and 1836, and that the plaintiffs intestate was one of the three children left by J. Noble Stonestreet at the time of his death in 1825 then rested and the Defendants then offered to prove that in August 1832, Nicholas Stonestreet now deceased was duly appointed administrator of J. Noble Stonestreet by the orphan's Court of Charles County and died in December 1832 without having settled his administration account and that on the 20th. day of September 1833, the said Nicholas Stonestreet executed and delivered to the defendants testator the written contract of that date made a part hereof, in the words following to wit." Whereas Nicholas Stonestreet has this 20th day of September 1833 agreed to sell to George Dement the tract of Land whereon Joseph N. Stonestreet lived and died, and the said George Dement hath agreed to give for said Land the price of ten dollars per acre, the land is supposed to contain about four hundred acres, the exact amount to be ascertained by a survey to be made at the expence of said Stonestreet, possession to be delivered on the first day of January next, when the purchase money will bear interest- In testimony whereof we have hereunto interchangably set our hands the day above mentioned.

Nichol. Stonestreet
Geo. Dement."

On the back of the above agreement is the following receipts to wit: "Received February 2d. 1834 of Mr Geo. Dement the sum of two thousand dollars in part payment for the within contract for land purchased.- Nich. Stonestreet.-

Amongst the money received is a 500 dollars note on the Bank of the United States No. 7036, letter D. dated 2d. March 1832.-

"Received February the 19th 1835 the sum of five hundred dollars in part for the within contract.- N. Stonestreet."

And that afterwards the said testator of Defendants paid to said Stonestreet the payments specified and endorsed on said contract, and further offered evidence to prove that after the death of Nicholas Stonestreet and in 1842, all matters in difference between the estate of said Nicholas Stonestreet and the children of J. Noble Stonestreet were refered to the arbitrament of William B. Stone and P. N. Ieram by the order of the orphan's Court with the consent of Dr. Francis Neale the acting and legal Guardian of said children and of the administratrix of Nicholas Stonestreet and that said arbitrators did duly make their award as will more fully appear by said reference and award made a part hereof, which is as follows to wit:

State of Maryland, Set.

At a meeting of the orphan's Court for Charles County on Tuesday the 17th day of August in the year 1841.-

Present, Richard Barnes, William Matthews, Francis H. Digges, Esquires Justices.-

Amongst others appear the following proceedings to wit:

Ordered by the Court that all accounts and matters in dispute between Ann E. Stonestreet administratrix of Nicholas Stonestreet and Doctor Francis Neale, Guardian to the minor children of Joseph N. Stonestreet and all matters of accounts and all the accounts between the estate of

N. Stonestreet and Joseph N. Stonestreet, and all accounts between the minors as well as the adult children of Joseph N. Stonestreet be referred to Peter W. Crain and Wm. B. Stone, Esqrs. with power to call in an umpire and that they return to this Court their award which shall be final.-

I hereby assent that the above named gentlemen may settle all matters between the above mentioned estates so far as my interest is in any manner concerned.-

Ellen Stonestreet.-

We hereby assent that the above named Gentlemen settle all matters in dispute between the above named estates so far as our rights and interests may be respectively involved in or connected with the same- Witness our hands and seals this 19th day of August Anno Domini 1841.-

F. Neale, (Seal)
Nicholas Stonestreet, (Seal)
for Ann E. Stonestreet, (Seal)

Ordered by the Court that the assent of Ellen Stonestreet and others to the within reference be and the same is hereby ratified and that the same be recorded amongst the proceedings of this Court.-

Test, Aquila Bateman, Regr. of Wills.-

The undersigned arbitrators in pursuance of the above submission after giving due notice to all the parties interested of the time and place of our meeting we proceeded in the presence of the parties to investigate all claims and accounts, and after examining and investigating all accounts, we award and determine that upon a full settlement of all matters of accounts and claims submitted to us that the sum of $1850 with interest from the 1st. of January 1841, is due from the estate of J. Noble Stonestreet to the estate of N. Stonestreet and we award and determine that the adm. D. B. N. of J. N. Stonestreet pay the said sum of 1850$ with interest from the 1st of January 1841, to the administratrix of of N. Stonestreet in full of all claims and demands whatever, that the administrator D. B. N. of J. N. Stonestreet and the parties to this submission who are the distributees of said J. N. Stonestreet dec.d be charged in the following manner with the above sum viz.-

The Guardian of Noble Stonestreet a minor with $500. and interest, Kitty Stonestreet with 750$ and interest, A. M. Hoffar and wife with 600$ and interest, and that mutual releases be executed- as witness our hands and seals this 31st. March 1842-

Wm. B. Stone, (Seal)
Peter W. Ieram, (Seal)

Arbitration charges
Wm. B. Stone $100.
P. W. Ieram $100.
$200

We the undersigned hereby agree and consent that the within award be finally ratified and confirmed by the Court, offering no objection whatever to the same.-

Nicholas Stonestreet, for Ann E. Stonestreet
Francis Neale, agent for Catherine Stonestreet and Guardian of Edward N. Stonestreet, John D. Freeman agent for A. M. Hoffer.-

Charles County, Set. July 31st. 1850- I hereby certify that the within and aforegoing is a true and correct copy taken from the records of this office- In testimony of which I hereunto sign my name and affix the seal of this office.- (Seal)

Test, D. Jenifer, Regr. of Wills for Charles County.-