afterwards intermarried with a certain Robert Leasey, who also departed this life before the institution of this suit. And if the jury further find from the evidence that said James Todd was in possession of Mountanay's Neck as early as the year 1700, and that those claiming under said Todd, have continued in possession of the same or parts thereof, according to their deeds, or as they became entitled thereto, by will or descent, down to the present time, and also the record of ejectment of 1703, that John Hammond was in actual possession of that part of Mountenay's Neck embraced in the deeds to him from Leasey during his life, and filled up on the water front of his lot, and in this way and by the wash from the upper ground through Caroline Street, other land was made fast land and added to his, and if he leased the same or a part thereof to McDowell, as stated in the evidence, and collected the rent from him; and that if since the death of the said Hammond those who claim under him have been in possession of the said property and collected the rents thereof, or of such portions as have been leased, then if the jury believe the preceding facts, they are bound to presume a deed from said Alexander Mountenay, or those claiming under him, to said Samuel Wheeler and wife, and from said David Jones to said Robert Blunt or his ancestor, the tract of land called Mountenay's Neck.—

2nd.— And if the jury believe, in addition to the facts set forth in the above or first prayer of the plaintiff, that the square of ground between the city dock and Alice Anna street and Caroline and Spring streets, was filled up and made fast land by the authorities of the city of Baltimore, under the ordinance of 1823, and the other ordinances given in evidence, and was completed about the year 1836, and the defendants were in possession thereof at the institution of this suit, then the plaintiff is entitled to recover.—

3rd. If the jury believe the facts sets forth in plaintiff's first and second prayers, and also that plaintiff and those under whom she claims, have been in possession of the part of said property, by having a house erected upon it, and by the mutual enclosure of a board fence, then the defendants cannot avail themselves of any of title from presumption, except of such part as they can prove that they have also been possessed of by actual enclosure for 20 years next before the impetration of the writ in this cause.—

4th.— That the defendants in this case cannot avail themselves of the benefit of a presumption of a grant to them for the property in dispute, unless they show by strong proof a continuous and uninterrupted possession thereof for 20 years next before the institution of this suit.—

5th.— That there is no evidence in this case to prove such possession.

6th.— That the defendants cannot be allowed to avail themselves of any possession so as to defeat the title of the plaintiff, further than such possession is located on the plats in this case.—

7th.— That the acts and possession of any one of the said defendants cannot avail the other defendants, by affording to them the benefit of a presumption of a grant.—

8th.— That before the jury can find a title in the defendants, or any one of them, by presumption of a grant from the plaintiff or those under whom she claims, they must believe in their conscience and find as a fact, that such grant was actually made.—

9th.— And that such grant was made by the plaintiff to the defendants by deed, regularly executed and acknowledged.

10th.— That if the jury believe the evidence in this case, they cannot presume a grant from the plaintiff or those under whom she claims, to the defendants or either, from any acts or possession of the defendants given in evidence, between the years 1783 and 1823.—

11th.— That the title of the plaintiff cannot be affected by adding together the different possessions and acts of the defendants, at long intervals, in point of time, so as to make out 20 years; nor can the possession of the defendants on the east side of Caroline Street be connected with possession on the west side thereof, so as to make out the 20 years; but possession from which the presumption may be created must be confined to the property in dispute.—

12th.— That the statute of limitations of — James does not apply to the circumstances of this case, as stated in the evidence.—

13th.— If the jury find the patents, deeds and ordinances offered in evidence in this cause by the defendants, and that they were so offered by the defendants to show that they had the superior, better and more ancient right to extend, fill up and improve in front of their own lots, then the plaintiff and those under whom she claims, have in front of her lot, then no possession which has been proved in this case on the part of the defendants or any of them, can give rise to a presumption of a grant to the defendants from the plaintiff as the claim of a better title on the part of the defendants than the plaintiffs ever had, if the jury find such claim is wholly inconsistent and at war with such presumption.—

14th.— That if the jury believe that Island Point was re-surveyed and other land added to it by William Fell, in 1761, and that the whole were included in one tract, under the name of Fell's Prospect, and that a patent of the same was granted to said Fell at the above date, and if they believe from the fact that the defendants have offered in evidence the said patent in this cause as part of their title that they now claim under the patent of Island Point as a substituting independent patent, but they must claim, if at all, by the relation back of the patent of Fell's Prospect.—

15th.— That even if the jury should believe from the evidence that Thomas Sligh claimed under the escheat patent of Mountenay's Neck to Edward Fell in the year 1737; still the said Thomas Sligh and those claiming under him, have a right to go back by relation to the original patent of Mountenay's Neck in 1663, and to date their title from that period.—

16th.— The plaintiff further prayed the Court, to instruct the jury, that if they shall believe the evidence offered in this case by the plaintiffs and defendants, then they may and ought to presume a deed from A. Mountenay or his heirs, to Wheeler and wife, and from Daniel Jones or those claiming under him, to Robert Blunt or his ancestor, for the tract of land called Mountenay's Neck.—

Defendants' Prayers No. 1 to 4.—

First.— That if the jury find that the tract called Bold Venture was granted as given in evidence by the defendants, and that the same is truly located on the platts in the cause by defendants, that then the