ye 7th. october 1709.

In Testimony that the aforegoing is truly copied from a Record of Testamentary proceedings Liber I. L. No. 5 folio 192, one of the Records of the Register of Wills office for Anne Arundel county. I have hereunto set my hand and affixed my seal of office this seventh day of June 1850.

(Seal) (Place) Test, Benjn. E. Gantt, Regr. Wills A. A. Coty.

(G. L. D. No. 2)

John Hays admr. John Oldton his admr. Bond in common form with John Taylor and Rob Leutcheon his securities in four hundred pounds Sterg. date 23d Sept. 1709.

In Testimony that the aforegoing is truly copied from a Record of Testamentary proceedings, Liber I. L. No. 5 folio 192, one of the Records of the Register of Wills office for Anne Arundel county. I have hereunto set my hand, and affixed my seal of office this seventh day of June 1850.

(Seal) (Place) Test, Benjn. E. Gantt, Regr. of Wills A. A. Coty.

G. L. D. No. 3

Maryland, ss. March 4th. 1713. To the Hon.ble Gen.l Court of this Province. The additional acct. of John Hays admr. of all and singular the goods and chattels of Jno Olton late of Baltimore county dec.d who charges himself with the first Inventory amounting to - - - - - - - - - - - - - - 145 : 14 : 6

and with 3114 lbs Tobb. at 1 p.d p.r lb. which is - - - - - - - - - 12 : 19 : 4

Also with an additional Inv.y now exhibited - - - - - - - - - 16 : 19 : 4

In all - - - £ 36 : 13 : 4

And prays allowance for several payments and disbursements as per former acct. exhibited the 27th Feby. 1710 - - - - - - - - - - - - 126 : 14 : 2

Also for Fees p.d Mr. John Stokes in the defence of the Estate - 378

6 Empty Tob hhds - - - - - - - - - - - - - - 180

To packing 6 hhds Tob. - - - - - - - - - - - 120

To Stripping 65 hhds Tob. - - - - - - - - - - 150 — 5 : 12 : 4

To Satly. of 10 pr. cent for paying the Tobb - - - - - - - 122

1350 — 132 : 6 : 8

To Cornelius Keith Debt desperate 1124 lbs at 1 p.d pound - - - - - - - - - - - - - - - - - - 4 : 13 : 10

137 : 0 : 6

The Estate is over paid - 0 : 7 : 2

March 4th 1712. Then came the above adm.r Jno. Hays and made oath that this is a just and true acct. before me. W.m Bladen, Com.r Genl.

In Testimony that the aforegoing is truly copied from Liber W. B. No. 10 folio 169 &c. one of the Records of the Register of Wills office of Anne Arundel, county. I have hereunto set my hand, and affixed the seal of my office this seventh day of June A.D. 1850.

(Seals) (Place) Test, Benjn. E. Gantt, Regr. Wills A. A. Coty.

Whereupon the Defendants further to support the issue on their side offered in evidence the Will of John Oulton of 1709 - to wit:

In the name of God Amen! I, John Olton being weak of body but of perfectt mind and memory, thinks be to God for it and finding myself not long for this world, dow therfore make my last Will and Testament in manner and forme as followeth, my Soull I begueth into the hands of Allmighty God, my only meditator and Redemer, and my body to be decently burried. This to be my last Will revoking all other wills or Wills by me made, or by me caused to be made this being my Last Will mead this forth day of May Anno que Domini

1709. Item - I give and bequeath unto my wife Mary Oldton a certain track of land caled Kindness containing of tew hundred and add accors of land. Item - I dow make my wife Mary Oldton my who all and lawfull heir forever and extrix of all my Estate both personall and riall. Item, I give and bequeath unto my wife Mary Oldton another track of land caled the bold adventur containing one hundred and sixty and one accors and likwise I give and bequeath unto my wife another certain Tract of land caled Pimlico and all other my lands whatever to her and her heirs forever and assigns. Witness my hand this day and year above written.

Testis by Thomas Long, Cornelius Keeffe & Elizabeth Stenard. John his mark Olton (Seal)

Whereas a Commission from the Prerogative Court was to me directed bearing date June the 30th 1709 Empowering me to take the probate of John Oldton's Will and to cause the evidences thereof to come before me to effect the same. These are therefore to certify that on the eleventh day of July 1709 came Thomas Long, Cornelius Keeffe and Elizabeth Stenart the evidences to the within mentioned Will and all and every of them took their corporall oaths that they saw the deceased John Oldton sign, seal and heard him publish the within Will to be his last Will and Testament and that he then was of perfect mind and memory to the best of their knowledge and that it was his real mind they think to leave all he had to the disposal of his wife Mary Oldton and her assigns. In witness, whereof I have put my hand the day and date above mentioned.

James Crookey.

In Testimony that the aforegoing is a true copy taken from Wills, Liber A. No. 1 folio 34, being one of the Records in the office of the Register of Wills for Baltimore county.

(Seal) (Place) I hereunto subscribe my name and affix the seal of my office this twenty sixth day of April in the year of our Lord eighteen hundred and fifty.

Test, Ed. Ma. Perine, Register of Wills for Baltimore county.

And also proved that the defendants, and those under whom they claim had been in possession of the lots on Bond Street from Alice Anna to Lancaster Street, running originally to the water, for more than twenty years prior to the bringing of this suit.

Whereupon the Plaintiff prayed the Court to instruct the Jury - If the Jury shall find the Patents, deeds and permission or License of the Mayor and City Council of Baltimore offered in evidence on the part of the plaintiffs, and that the same are properly located in this cause, and if from the evidence in the Ejectment suits, and from the said deeds and the recitals therein, and from the acts of possession of Benjamin Spencer and those claiming under him, that possession had gone along with said deeds &c. then the Jury are bound to presume a Deed from Mountenay to Blount, and from Isaac Hall to John Hall; or if the Jury shall find the deeds from Sleigh to Wasenthall, from Wasenthall to I. Dornthwait and from I. Dornthwait to Benjamin Spencer the elder, and that said Spencer died intestate before the year 1820, leaving Elizabeth his only child and heir at Law, and that said Elizabeth previous to the death of said Spencer her father, had intermarried with the