or persons whatsoever shall and will warrant and forever defend. and the said Joseph C. Hays and Mary Hays his wife, for themselves and their heirs do further covenant, grant, promise and agree to and with the said John Black-ford, for himself, his heirs and assigns that they the said Joseph C. Hays and Mary Hays, his wife, and their heirs shall and will at all times hereafter, whenever thereto required by the said John Blackford, his heirs at the proper cost and expense of the said John Blackford, his heirs or assigns made do, execute and acknow-ledge all and every such further assurance or assurances, deed or deeds, con-veyance or conveyances in the law as he the said John Blackford, his heirs or assigns, or his or their counsel learned in the law, may or shall advise de-vise or require for the more certain and effectual assuring, conveying and quieting the possession of the said John Blackford, his heirs and assigns of, in and to the said tract of land and premises with the appurtenances for-ever - In witness whereof the said Joseph C. Hays and Mary Hays, his wife have hereunto subscribed their names and affixed their seals the day and year first above written.-

Signed sealed and delivered in presence of
I. Hausler, Wm. H. Handey.-

J. C. Hays, (Seal)
Mary Hays, (Seal)

State of Maryland, Washington County to wit: Be it remembered that on this nineteenth day of November, in the year of our Lord one thousand eight hundred and thirty five, personally appears Joseph C. Hays and Mary Hays, his wife, of Washington County, the party grantors above named, and who are satisfactorily known to us of our own knowledge to be the same persons who are named and described as and professing to be the grantors in said deed before Jacob Hausler and William H. Handy two Justices of the peace in and for the County aforesaid, and acknowledge the above deed or instrument of writing to be their act and deed and the land and premises therein men-tioned and thereby bargained and sold to be the right and estate of the above named John Blackford party grantee also therein named, his heirs and as-signs forever, according to the purport true intent and meaning of the said deed or instrument of writing, and the acts of Assembly in such case made and provided. And now at the same time also personally appears Mary Hays wife of the said Joseph C. Hays, before I. Hausler and W. H. Handey, Justices as aforesaid and acknowledged the said deed or instrument of writing to be her act and deed and the land and premises therein mentioned to be the right and state of the above named John Blackford, his heirs and assigns forever, and the said Mary Hays, being by us privately examined apart from and out of the hearing of her hus-band whether she doth execute said deed and make her acknowledgment of the same willingly and freely and without being induced thereto by fear or threats of, or ill usage by her husband or fear of his displeasure, acknowledges that she doth execute said deed and make her acknowledgment of the same willingly and freely and without being induced thereto by fear or threats of or ill usage by her hus-band, or fear of his displeasure. Taken and certified the day and year above written.-

I. Hausler, Wm. W. Handey.-

Washington County, sct: I hereby certify that the foregoing is a true copy from Liber R. R. folios 334, 5c. one of the Land Records of Washington County. In Testimony whereof I hereby subscribe my name and affix the seal (Seal) of the Circuit Court for said County, this 28th day of Nov. 1853.-

Isaac Nesbitt, Clk.-

The plaintiff further offered in evidence a certain deed from Robert M. Tidball, Trustee for the sale of the real estate of Jacob Bedinger, deceased, to the said John Blackford, the testator:

This Indenture, made this twenty second day of December, in the year of our Lord one thousand eight hundred and thirty seven, between Robert M. Tidball, of Washington County, in the state of Maryland of the one part, and John Blackford, of the said County and state of the other part. Whereas by de-cree of the County Court of Washington County aforesaid, as a Court of Equity, bearing date the thirteenth day of June, in the year of our Lord one thou-sand eight hundred and thirty six, the above named Robert M. Tidball was appointed a Trustee and authorised to sell and dispose of the real estate whereof Jacob Bedinger, late of Jefferson County, in the state of Virginia died seized in Washington County aforesaid for the benefit of the persons entitled; that in pursuance of said decree the said Robert M. Tidball, did, on the thirtieth day of July, in the year eighteen hundred and thirty six, sell and dispose of to the above named John Blackford part of a tract of land called "Antietam Bottom," and part of a tract of land called "The Resurvey on part of Antietam Bottom," the said parts lying contiguous to each other in Washington County aforesaid, and in-cluded within the courses and distances, metes and bounds hereinafter men-tioned and described, containing fifty acres of land more or less and sold at and for that quantity, at and for the sum of forty five dollars, cur-rent money per acre; and whereas the purchase money for the said parts of tracts of land and premises hath been fully satisfied and paid, and the said Robert M. Tidball is authorised by the said decree to execute a conveyance for the same, and to comply with the terms of the said decree the said Robert M. Tidball hath agreed to execute these presents. Now this Indenture witnesseth, that the said Robert M. Tidball, in consideration of the above recited premises, and also of one dollars current money of the United States to him in hand paid by the said John Blackford, the receipt whereof is hereby acknowledged, and himself therewith to be paid hath granted, bargained, sold, released, aliened, enfeoffed and confirmed, and by these presents doth grant bargain, sell, release, alien, enfeoff and confirm unto the said John Blackford, his heirs and assigns forever, all that part of a tract of land called "Antietam Bottom," and all that part of a tract of land called "The Resurvey on part of Antietam Bottom" (the said parts of tracts of land lying contiguous to each other in Washington County aforesaid) which are included by the following courses and distances, metes and bounds to wit, beginning at a stone set upon and planted on a line of the condemnations of land made for the Chesapeake and Ohio Canal and where the same is intersected by the division fence be-tween the lands of Peter Myers, deceased, and the said Bedinger, said stone also stands N. 46° W. 2 ps. from the end 96 ps. on the 4th line of said land called "The Resurvey on part of Antietam Bottom" as the same was lo-cated with an allowance of 51' to the West to correct the variation of the com-pass, and running thence N. 4° E. 19 ps. to a line drawn N. 50' W. from the end of 96 ps. on the 4th line of "The Resurvey on part of Antietam Bottom" located as aforesaid, then N. 50° W. 14 ps. and 4/10 to a stake and pile of stones put up at or near the end of 8 ps. on the 10th line of "Antietam Bottom," located with an allowance of 50' to the W. to correct the variation, then reversing that line with the variation aforesaid S. 76° 50' E. 14 ps. to a fence