herself her Heirs and assigns doth hereby covenant promise and agree to and with the said William H Hall his Heirs and assigns that the said Ann Jenyns and her heirs the said part of a tract of Land and premises hereby given granted bargained Sold confirmed and conveyed and every part and parcel thereof with the appurtenances thereto belonging to him the said William H Hall his Heirs and assigns against her the said Ann Jenyns and her heirs and against all and every person or persons whatsoever claiming or to claim any right title or interest in and to the same or any part thereof that said hereafter claimeth and forever defend by these presents. In Witness whereof the said Ann Jenyns hath hereunto set her hand and seal the day and year first written

Signed sealed and delivered in the presence of
Robert G Pinder
W J Hall

Ann Jenyns Seal

All the Land of the aforegoing was thus written & read
State of Maryland Anne Arundel County to Wit. Be it remembered that on this 16th day of April in the year of our Lord 1853 personally appeared before the Subscriber two Justices of the Peace in and for County aforesaid Ann Jenyns she being known to us of our own knowledge to be the same person mentioned and described as and professing to be the party grantor in the aforegoing deed or instrument of writing and acknowledged the same to be her act and deed according to the true intent and meaning thereof and according to the acts of assembly in such case made and provided. In Testimony Whereof we have hereunto subscribed our names the day and year above mentioned.

Rob G Pinder W J Hall

I hereby certify I this day received and cancelled for Stamp duty on this Instrument of Writing agreeably to the Act of Assembly of December Session 1860 ch 61 Given under my hand this 1st day of June 1853.

N H Green Clk

Recorded the 1st day of June 1853.

State of Maryland Anne Arundel County to Wit

I hereby Certify that the aforegoing is a true Copy taken from Liber N H 9 No 2 folios 249 250 &c of the Land Records of Anne Arundel County

In Testimony Whereof I have set my hand and affixed the Seal of the Circuit Court for Anne Arundel County this 16th day of April in the year 1860

N H Green Clk

The defendant thereupon pleaded that the plaintiffs Lessors is now aged about 77 years is now in infirm health and confined to her House that in the year 1825 she was an old woman of considerable intelligence and that Benjamin Jenyns the Witness is about fifty years of age.

And the defendant thereupon pleaded that Letters testamentary on the Estate of the said Benjamin Hemsley deceased were granted to this Son John Hamsley the Executor named in the last Will & Testament in the year 1825 and that he gave Bond to

pay debts &c. Maryland to Wit Be it remembered that we John S Hamsley Thomas Ben Klein and Thomas Jenyns all of Anne Arundel County are held and firmly bound unto the State of Maryland in the just and full sum of Ten Thousand Dollars current money to which payment well and truly to be made and given We bind ourselves our heirs Executors and Administrators and every of us jointly severally and severally firmly by these presents sealed with our seals and dated this 7th day of November in the year of our Lord 1825.

The Condition of the above obligation is such that if the above bounden John S Hemsley as Executor of Benjamin Hemsley late of Anne Arundel County deceased shall pay the just debts and claims against the deceased and all damages which shall be recovered against him as Executor and shall all legacies bequeathed by the Will of the above obligor to be paid and of the effects thereof exhibited and returned in Court.

Signed sealed and delivered in presence of Thos H Hall

John S Hamsley (Seal)
Thos Ben Klein (Seal)
T Jenyns (Seal)

Testimony that the aforegoing is a true and correct Copy taken from the original Record in Liber J H H No 1 folio 146 one of the Records of this Office.

(Seal) I have hereunto subscribed my name and affixed the Seal of my Office this 27 day of April 1860.

Jno Gault Reg Wills A A Co

And that the said Executor duly administered the Estate of the said testator and returned an Inventory thereof and paid and delivered over to the several legatees under said Will their respective bequests, and to the said Thomas Jenyns his Notes shares of the personal Estate consisting of Negroes and other property, and the plaintiff thereupon proved that the said Thomas Jenyns as executor and assistant and as the personal Estate of the testator was applied by the administrator in payment of his debts, and further proved that the Lessor of the plaintiff sold the part of the aforesaid Land which the defendant held as aforesaid before the said defendant set up his claim for defending as in the declaration and before that was called. He is willing Land in Baltimore County in the action, and further proved that at the time of the death of Mrs Hemsley in October 1839 she was sixty three years of age.

And thereupon the defendant prayed the Court to instruct the Jury as follows.

1st The defendant by his Counsel prays the Court to instruct the Jury that the plaintiff is not entitled to recover in this action because there has been no proof offered to the Jury of an actual ouster of the Plaintiff by the defendant from the Land for which this action is brought in the declaration stated.

2d That unless the Jury believe from the evidence in the cause that the Lessor of the plaintiff has proved the notes and bounds courses and distances of the Land as stated in the