Mary R. Perry
vs
Francis Dodge &
Alex. H. Dodge.

In the Circuit Court for Washington County.

Attachment on Warrant.
No. 144 Trials. Mar. T. 1858.

The Plaintiff in the above cause by Z. A. Claggett and Saml. Weisel, her Attorneys, by way of Replication to the pleas of Henry C. Matthews and Edward Chapman filed as claimants, in the above cause, say that the property both real and personal attached by virtue of the writ of attachment issued in the above cause to satisfy the debt or claim of the plaintiff filed therein, and returned by the Sheriff, belonged to the Defendants in said cause, the said Francis Dodge and Alex. H. Dodge, at the time of the issuing and laying said attachment, and not to the said claimants, as in & by the said claim they have alleged; and of this the plaintiff puts herself upon the country.

Z. A. Claggett. S. Weisel. Attys for Plff.

And the claimants aforesaid do the like.

Whereupon, for trying the issue aforesaid, it is ordered by the Court here, that twenty persons from the panel of Petit Jurors be drawn by ballot, according to the Act of Assembly in such case made and provided; and thereupon the twenty persons, being so drawn by ballot, and written upon two lists, one of which said lists is delivered to the Counsel for the respective parties, and the Counsel for each of the said parties having stricken out four persons from the said lists, thereupon the remaining twelve persons from the said lists, thereupon the remaining twelve persons being called, come to wit. William H. Keller. John Seely. John A. H. Brewer. Jacob Alter. William H. H. Keppler. Ambrose Ingman. Joseph Knox. Jacob Shoop. George Strauss. Gustavus Kershner. Jeremiah S. Bezar and John F. Kershey, who being impannelled, and sworn to say the truth in the premises, upon their oath do say, that they find for Henry C. Matthews and Edward Chapman, the claimants, on the issue joined; therefore it is considered by the Court here, that the said plaintiff take nothing by her said writ of attachment; it is also considered by the Court here, that the said Henry C. Matthews and Edward Chapman, the claimants aforesaid, recover against the said plaintiff the sum of $13.91 cts. for their costs and charges by them about their defence in this behalf laid out and expended, and that they have thereof their execution against the said plaintiff &c.

Memorandum. Before the Jurors aforesaid withdrew from the bar of the Court here her Bill of exceptions, and which was by the Court here signed and sealed, and which is in form following, to wit:

Mary R. Perry
vs
Henry C. Matthews,
Edward Chapman,
Claimants.

In the Circuit Court for Washington County.
No. Trials.

March Term 1858.

The plaintiff to support the issue on her part joined offered in evidence the attachment and the affidavit, vouchers and warrant on which the said writ was issued, and the return thereof by the Washington County; also the summons issued at the same time, with the short note, and return thereof. (Here insert all

proceedings). The plaintiff then offered in evidence in further support of the issue on her part joined, the following deed of William B. McAtee and Ann A. McAtee his wife bearing date the 24th day of January, 1853 to Francis Dodge and Alexander H. Dodge, the defendants in the attachment, their heirs and assigns, and duly recorded among the land records of Washington County, in Maryland on the 8th day of Feby 1853 in Liber J.N. No. 7. folios 361 &c, to wit:

At the request of Francis & Alex. H. Dodge the following deed was recorded February 8th, 1853. Stamp duty paid.—

This Indenture made this 24th day of January in the year of our Lord eighteen hundred and fifty three, between William B. McAtee and Ann A. McAtee his wife of Washington County and State of Maryland, of the one part, and Francis Dodge and Alexander H. Dodge of Georgetown in the District of Columbia of the other part, Witnesseth that for and in consideration of the sum of five thousand and sixty two dollars and fifty cents current money by the said Francis Dodge and Alexander H. Dodge to the said William B. McAtee in hand paid at and before the sealing and delivery of these presents, the receipt whereof the said William B. McAtee doth hereby acknowledge, and from the further payment of the same doth hereby release, acquit and discharge the said Francis and Alexander H. Dodge. They the said William B. McAtee and Ann A. McAtee have granted, bargained and sold, and by these presents do grant, bargain and sell unto the said Francis Dodge and Alexander H. Dodge, their heirs and assigns forever, a tract or parcel of land lying and being in Washington County, Maryland aforesaid, being part of a tract of land called "Conococheague Manor" and part of a tract called "Number Five", lying contiguous to each other and included by the following metes and bounds, to wit: Beginning at a long marked White Oak tree standing at the end of the aforesaid lands conveyed by Samuel Ringgold to Ann Ohelton the 24th June 1808, and running thence along a road North two degrees West thirty two perches to a stone, North fifteen degrees East one hundred and ten perches to a stone in the falling water road and with it North eighty five degrees West eleven perches and six tenths of a perch to a stone South eighty degrees West twenty perches to a White Oak stump with a stone now planted on the south side of it, it being the end of the twelfth line of the aforesaid part conveyed by Saml. Ringgold to Ann Ohelton and with that part the five following courses and distances. North eleven degrees East thirty six perches and one half of a perch to a marked hickory sapling nine degrees and one fourth of a degree East eighteen perches and three tenths of a perch to a stone, North twenty four degrees East seventy perches, North thirty seven degrees East fifteen perches and one fourth of a perch to a stone, South fifty two degrees and one half of a degree East one hundred perches to a stone, thence South seventeen degrees West two hundred and sixty nine perches and one half of a perch to a stone in the sixth line of the aforesaid conveyance of Ringgold to Ann Ohelton, and with it, North eighty seven degrees and one fourth of a degree, West sixty four perches to the end thereof, thence with the lines of said part North six degrees East twenty six perches North two degrees and one half of a degree East thirty nine perches and one half of a perch to the place of beginning.