that the aforegoing account is just and true as stated and that he has paid or secured the payment of every sum or sums for which he craves an allowance which after examination is passed by order of the Orphans Court.

Test D. M. Perrie, Register of Wills for Baltimore County.

John C. R. B. B. Chamberlains 3d and Final Guardians Account.

Baltimore County SS: The third and final accompt of Uriah Brown Guardian of John Cockey Robert Burley Boone Chamberlaine (an Orphans child) and Grand child of John Cockey Robert Burley Boone, deceased, to wit.

This Accomptant charges himself with the balance due his Ward as per his last settlement consisting in money to wit

Cash due his Ward on his last accompt	117	54½		
And with interest on $117.54½ from the 3d day of Jany 1852 to the 3d day of August 1853 which is certain mos.	9	79		
	127	53½		
			127	53½
And he craves an allowance for the following payments and disbursements on account of his ward to wit:				
Cash paid Registers fees	2			
This Accomptants Commission on the interest which is $9.79 at 7½ per cent arising from $117.54½		74¾		
Cash paid and delivered over to his said Ward he being now of legal age as per receipt recorded appears	124	78¾		
	127	53½	127	53½
Estate accounted for			127	53½

Baltimore County SS: On the 17th day of September 1853 came Uria Brown Guardian as aforesaid and solemnly declared and affirmed that the aforegoing account is just and true as stated and that he has paid & secured the payment of every sum or sums for which he craves an allowance, which after examination is passed by order of the Orphans Court.

Test. D. M. Perrie, Register of Wills for Baltimore County.

John C. R. B. B. Chamberlain Receipt to Uriah Brown

Baltimore August 3d 1853

$124.78¾ Received of my Guardian Uria Brown one hundred and twenty four dollars, seventy eight and three fourths of a cent, good and lawful money of the United States of North America, it being in full for my share of the personal estate which fell due to me from the Estate of my Grand Father John Cockey Robert Burley Boone, deceased. In witness whereof I have hereunto set my hand and seal as above dated.

Witn. Reaney. John C. R. B. B. Chamberlain (Seal)

Received to be recorded on the 17 day of September 1853, same day filed and recorded, and examined. Test D. M. Perrie, Register of Wills for Balto. Co.

State of Maryland, Baltimore City, SS: I hereby certify that the aforegoing is a true Transcript, taken from the Records of the late Orphans Court for Baltimore County in the above matter, which by virtue of the provisions of the Constitution of the State of Maryland establishing the Orphans Court for Baltimore City, are now in my custody.

In testimony whereof, I hereunto subscribe my name and affix the seal of my office this tenth day of February in the year of our Lord Eighteen Hundred and sixty eight (Seal Place)

Test Isaac S. Cook, Register of Wills for Baltimore City

Whereupon the plaintiff prayed the Court to instruct the Jury as follows:

Plaintiffs Points

1 That the record of the proceedings on partition offered in evidence by the defendants is not evidence of any of the facts stated in the partition and the plaintiff objects to the admission thereof for any purpose save only to show the judgment in partition and the certainty thereof and to this extent only, in order to show with other circumstances the color or pretext of title under which the defendants claim to have entered into possession of the premises in controversy — in the event that the defendants shall attempt to defend possession of said premises by proof of entry under color or pretext of title evidently the said proceedings and other circumstances offered in evidence

Plaintiffs second Point

The plaintiff conceding the due execution of the receipt of his lease to Uria Brown, his guardian, which is offered in evidence by the defendants, and the same is the original of the receipt incorporated in the transcript of proceedings of the Orphans Court of Baltimore County objects that the said receipt and transcript are not evidence to connect the plaintiff with the proceedings on the petition for partition in this cause.

Plaintiffs 3rd point

That under the devises contained in the last will of no. C. R. B. Boone, deceased, offered in evidence, nothing passed to Stephen Parlot Boone or Eleanor Parlot Boone in the premises in controversy in this suit, even if the jury shall find that the said premises formed part of the dwelling plantation of the said Thomas Boone, deceased.

And the Defendants prayed the Court to instruct the jury as follows:

The Defendants

That if the jury shall find from the evidence that Thomas Boone was seized in fee simple of the three parcels of land devised by his last Will, offered in evidence by plaintiff, to his three sons, and shall find that the said three parcels constituted one entire farm or place upon which the said Thomas Boone resided at the time of making his said Will, that he had