that the said John Guyer was a citizen of the United States residing at the time of his death in the Island of St. Bartholomew and that he executed the well offered in evidence in favor of the Lessors of the Plaintiffs if they shall believe that the Lessors of the Plaintiff are the identical persons named in said will of John Guyer — that then the Plaintiffs are entitled to recover in this action notwithstanding the patent now offered in evidence by the defendants

The defendants then offered the following prayers viz:

1st Prayer, The defendant by his counsel prays the Court to instruct the Jury, that if they believe from the evidence in this cause, that the Lessors of the Plaintiff, are natives of the Island of St. Bartholomew and never have been residents of the State of Maryland, up to the time of bringing the suit; and that the land mentioned in the Plaintiffs declaration is part of the lands mentioned in the paper offered in evidence by the Plaintiffs as the last will and testament of John Guyer, then they are not competent in law to take and hold the said land mentioned in said paper, as said last will and cannot recover in this action.

2nd Prayer, The defendant by his counsel further prays the Court to instruct the jury, that if they believe from the evidence that John Guyer was the father of the Lessors of the Plaintiff and that he died at the Island of St. Bartholomew in the year 1841, leaving as his last will and testament in writing the paper offered in evidence as such by the Plaintiffs in this cause and that the said lessors of the Plaintiff were born in said Island of St. Bartholomew and have never resided in the State of Maryland prior to bringing this suit; then the said lessors of the Plaintiff are not competent in law to take and hold the said land mentioned in the plaintiffs declaration and described in the paper offered in evidence, by the Plaintiff as the last will of John Guyer and cannot recover in this action.

3rd Prayer. The defendant by his counsel further prays the Court to instruct the jury that if they believe from the evidence that the lessors of the Plaintiff are not white men but partly of African or negro blood and never were before their bringing this suit residents of the State of Maryland, although they may believe that John Guyer left as his last will the paper offered by the Plaintiffs in evidence in this cause, they cannot recover in this action.

4th Prayer, The defendant by his counsel further prays the Court to instruct the jury, that if they believe from the evidence in the cause, that the lessors of the Plaintiff are natives of the Island of St. Bartholomew and were the

illegitimate children of John Guyer; and if they shall further believe that the said John Guyer left as his last will the paper offered in evidence as such by the Plaintiffs; and that the said lessors of the Plaintiff at the time of the death of the said John Guyer were not actual residents of the State of Maryland and did not within one year thereafter make the declaration prescribed by the first condition of the first section of the act of Congress entitled "an act to establish an uniform rule of naturalization, and to repeal the acts heretofore passed on that subject" then the lessors of the Plaintiff are not entitled to recover in this action.

5th Prayer. The defendants by their counsel pray the Court to instruct the jury that if they shall believe from the evidence in the cause that Benjamin V. Guyer and James Guyer, the lessors of the Plaintiff were born and have always resided and now reside out of the jurisdiction and allegiance of the United States and that the said lessors of the Plaintiff are not of pure white blood, but of mixed or part African or negro blood, and that they are subjects of and owe allegiance to the King of Sweden and Norway — that then the Plaintiff cannot recover in this case, as against the escheat patent and the title thereby granted — as offered in evidence in the grant of the defendants; provided the jury shall further believe that the land claimed by the Plaintiff in this cause, is the same land embraced and included in and by the said escheat patent.

6th Prayer. The defendants by their counsel pray the Court to instruct the jury that the escheat Patent for "Yamland" as offered in evidence by the defendants is prima facie evidence of title and that the land thereby patented was liable to escheat.

7th Prayer. The defendant prays the Court to instruct the jury that if they believe from the evidence that John Guyer died in the year 1841 seized in fee of the land claimed by the lessors of the Plaintiffs in this case, and that he, said John Guyer, left as his last will, the paper offered in evidence by the lessors of the Plaintiff and that the lessors of the Plaintiff were born in the Island of St. Bartholomew — and were illegitimate children of the said John Guyer; and that they did owe and claim and do now owe and claim allegiance to the King of Sweden and Norway; and that the said lessors since the death of the said John Guyer up to the 30th day of October in the year eighteen hundred and sixty, never resided in the State of Maryland, that then said land was liable to escheat on said last mentioned day and the patent offered in evidence by the defendant in this