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John C. R. B. Boone, and neither of said enclosures comprehended any of the land so mentioned to be devised to Richard Boone, that the Eight acre Lot upon the land devised to said Richard was given by John C. R. B. Boone in Sarah Boone's lifetime to Stephen Parlet Boone, who built a House on it and made a small enclosure there, but no deed for it was executed by John C. R. B. Boone,] that the said Sarah Boone died in or about the year 1807; and that the Defendants Sarah Owings, M. Burke, Mary Burke & Wm Burke are the Children and some of the heirs of the said Eleanor F. B. Burke who died before the institution of this suit, and before the date of the several demises laid in the declaration, and that Elizabeth Boone, widow of the said John C. R. B. Boone survived him but died before the year 1854.

It is understood that the relevency of such of the facts above stated as relates to Acts of possession by John C. R. B. Boone or his mother subsequent to the death of Thomas Boone, is not admitted by the Defendants, and the same are to be considered as offered in evidence subject to legal exception; and that exceptions are reserved by Defendants to all the facts of above statements of facts enclosed within brackets

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Attys. for Defts.

Exhibit A.

In the name of God, Amen

I Thomas Boone of Baltimore County, being very infirm and weak, but of sound memory and understanding, do make and publish this my last will and testament, in manner and form following. I recommend my soul to

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Almighty God who gave it, humbly hoping through the merits and intercession of my Blessed Savior and Redeemer Jesus Christ to obtain remission of all my sins; my body I commit to the earth, to be decently interred, according to the directions of my Executors, hereinafter mentioned, and my effects I bequeath in manner and form following.

Imprimis. I give and bequeath unto my Son John Cockey Robert Burley Boone, and the heirs of his body lawfully begotten, forever, part of that tract of Land called Edwards and Wills Valleys and Hills, lying and being in Baltimore County, and Beginning at a bounded Ash Tree, being the beginning tree of the above Land called Edwards and Wills Valleys and Hills, and running thence South forty eight degrees fifteen minutes West sixty four perches to a bounded Gum tree, then South fifty four degrees west fifty six perches to a bounded White Oak, then South sixty five degrees West forty perches, then North fifteen degrees West fifty perches North thirty three degrees East twelve perches, North two degrees East thirty two perches, West thirty two perches, North two degrees East thirty four perches, then North twenty degrees West, till it intersects the North seventy degrees East line of the above mentioned tract of Land called Edward and Wills Valleys and Hills and then running with that line to the Falls, and then with a straight line to the beginning, and also one negro boy named Joshua, and my peding Horse named Prince.

Item. I Give and bequeath to my Son Richard Boone and the heirs of his body lawfully begotten, forever, parts of those tracts of Land called Edward and Wills Valleys and Hills, and the "Enlargement", lying and being in Baltimore County, and beginning at the end of forty perches on the South sixty five degrees West one hundred and ninety three perches line of that tract of land called the Enlargement, and running thence North fifteen degs. west fifty perches North thirty three