April Term 1885.

Wm Daniel, and
E. P. Robey,
Attys. for Benj Matthews.

Issue joined.

2nd Amended Plea.
(Filed 19th November 1884.)

And now comes the defendant, by E. P. Robey and William Daniel, his attorneys, and for an amended plea says, that he hath not, nor claims to have, any interest in the demesne or in the reversion thereof, of all that part of the land and premises mentioned and described in the declaration, which is described as follows, to wit:

Beginning for the same on the northeastern boundery line of a lot, known as lot No. 11, (eleven) one of a range of lots heretofore laid out by Christian Keener, and leased by him to Neptune Woodyard, by indenture bearing date (3rd) third day of November, A. D. 1804, recorded among the Land Records of Baltimore county, in Liber W. G., No. 81, folio 66, &c., at the distance of twenty-six feet and five inches northwesterly from the end of the third line of said lot number eleven, and running thence northwesterly on said northeast boundary line twenty-four feet nine inches; thence northeasterly by a straight line to the southwest side of Division street, intersecting said street at a point distant three hundred and eighty five feet from the corner formed by the intersection of the southwest side of Division street and the southeast side of Baker street, one hundred and eighty feet, more or less; thence running southeasterly on and parallel with Division street twenty-four feet ten and one-half inches; thence southwesterly by a straight line one hundred and eighty feet, more or less, to the place of

April Term 1885.

beginning. Being the same lot of ground which is designated on a plat of the opening of Gold street, in the City of Baltimore, returned by the Commissioners for opening streets as "Lot U;" which above described lot also includes the piece or parcel of ground described and disclaimed in the amended plea of the defendant heretofore filed in this case.

Nor had the defendant, nor did he claim to have, any interest in or possession of the said ground at the time of the filing of this suit, nor ever after, but he absolutely disavows and disclaims now having or ever having had any interest in or possession of the same. But as to the remainder of the ground sued for in this action, which comprises the lot of ground designated on the plat for the opening of Gold street as aforesaid, as "Lot V." he pleads not guilty.

E. Porter Robey
Atty. for Defdt.

19th December, 1884. — Jury sworn.

Defendants' Special Exceptions to Plaintiffs' first prayer.
(Fd. 24th Dec. 1884.)

The defendant specially excepts to the 1st prayer of the plaintiffs because the said prayer assumes that there is evidence in the cause tending to show "that Malvina Jennings Woodyard, Mary Siddons and Nancy Turner, the devisees to whom the said lot of ground (being the lot of ground in said prayer referred to) was devised in and by the said will, entered into possession thereof under the said will and devise with the assent of the said executrixes;" (meaning the executrixes of said will of said Mary Turner) when in point of fact there is no evidence in the cause