January Term, 1889

Henry Winter. vs. John C. White.	In the Circuit Court for Howard County.

At the trial of this cause, the plaintiff, to maintain the issues on his part joined, offered in evidence,
1. A copy of a decree passed by W. Kilty, Chancellor, on the 5th day of November, 1819, in the case of Theodore R. S. Boyce vs. Noah Gassaway and Samuel Gassaway, whereby it was decreed that said Boyce should hold in severalty, Lot number one: Beginning at the end of one hundred and thirty three perches, and two thirds of a perch on the first line of the whole tract called Benson's Park, at a stone there planted, and running - - - - - - &c. And that Noah Gassaway should hold in severalty Lot number two, as therein described. And that Samuel Gassaway should hold in severalty Lot number three, Beginning at the original beginning of the whole tract called Benson's Park, and running with the first line of said land, in a true direction towards a heap of stones, admitted to be at the end of the said first line, N. 49 degrees W. 133 perches and two thirds of a perch to a stone planted at the beginning of the aforesaid lot number one, then with the fifth and last line of the said lot reversed, N. 45 degrees E. 65 perches to a stone planted in the thicket, it being a stoney spot left uncleared in a field, the said stone being at the end of the first line of Lot No. two, then with the second line of the lot last mentioned S. 50 degrees E. 120 perches and half a perch to a stone planted in the

January Term, 1889

second line of a tract of Land called Chew's Vineyard, it being also the fifth and last line of the whole premises to be divided, then with the said line, S. 34 degrees W. 67 perches and a half perch to the beginning.

2. A copy of a deed from Noah Gassaway and Samuel Gassaway to Theodore R. S. Boyce, dated Jan. 19th. 1824. conveying "all that part, or parts of a tract of land situate, and lying in Anne Arundel County aforesaid called Benson's Park, lately owned by the said Nicholas Gassaway, deceased, and to which the said Noah and Samuel Gassaway, or either of them are in any way or manner entitled".

3. A copy of the last will of Theodore R. S. Boyce, by which he devised the farm on which he resided at the time of his death to his executors to be sold.

4. A deed from Noah Gassaway, executor of said Theodore R. S. Boyce to Eliza Boyce, dated May 7th. 1846, conveying "All that farm upon which the said Theodore R. S. Boyce resided at the time of his death, and which consists of a tract, or part of a tract or parcel of land, called or known by the name of Benson's Park, and conveyed to said Theodore R. S. Boyce by a deed from Nicholas Gassaway, bearing date the 31st. day of January, 1817, and recorded in Liber W. S. G. No. 5 folio 143 &c., and by a deed from Michael Pierpoint, dated the 14th. day of April, 1819, and recorded in Liber W. S. G. No. 6, folios 376 &c., and a deed from Ezra Fell, dated the 25th. day of October, 1837, and recorded in Liber W. S. G. No. 22, folios 298 &c., and also a deed from Noah Gassaway and Sam-