possession of the land in question for twenty years before this action was brought, the plaintiff is not entitled to recover, and the jury are further instructed, that in order to make said possession adverse, it must appear from the evidence that said possession has been actual, hostile, visible, notorious, exclusive and continuous for said period of twenty years.

Defendants Eighth Prayer.

The defendants pray the Court to instruct the jury, that there is no evidence in this case legally sufficient to entitle the plaintiff to recover.

Of which prayers the Court rejected the first, third, fourth, fifth, and sixth prayers offered by the plaintiff, and granted the plaintiff's second prayer, modified as follows:

If the jury shall find from the evidence that the land mentioned in the declaration is a part of the lands described in the deed from Thomas S. Alexander, trustee, to John A. and Andrew Ellicott, and described in the deed from John A. and Andrew Ellicott, to the Farmers' Bank of Maryland, offered in evidence by the plaintiff, and shall further find that the defendant, William B. Turner, with his wife, Louisa S. Turner, and family, entered upon and took possession of the lands mentioned in the declaration, and has occupied, used and held actual, continuous, adverse, and exclusive possession of said land since the year eighteen hundred and fifty nine, under a claim of title in himself to said land, the judgment fi fa and proceedings thereunder, and sheriffs deed from John G. Crane, Sheriff, offered in evidence, then the plaintiff is entitled to recover in this action the land mentioned in the declaration, and such damages for the detention thereof as the jury may believe from the evidence

the plaintiff has sustained since the said conveyance by said Sheriff of the land to him.

And the Court rejected all of the defendants' prayers and granted the following instructions.

If the jury believe that William B. Turner went upon the land in question in this case sometime between 1853 and 1859, as testified to in the evidence, and has ever since lived upon the said land and occupied the same, with his family, as testified to in the evidence, the plaintiff is not entitled to recover, if the jury shall further find that he has lived upon and occupied the same not under a claim of title in himself, but under the claim that his wife, Louisa S. Turner, had purchased the same and had the right to hold, occupy and possess the same under and by virtue of said purchase.

To which rejection and modification of plaintiff's prayers and granting of Court instructions the said plaintiff excepts, and prays the Court to sign and seal this his third bill of exceptions; which is accordingly done this 28th day of April, 1891.

I. Thomas Jones. (Seal.)

(Seal.)

Baker Johnson,
vs.
William B. Turner,
Louisa S. Turner.

Circuit Court for Anne Arundel County.

It is agreed in this case that there was full proof offered by the plaintiff of the proceedings of the sheriff and conveyance by him to the plaintiff of the land involved in this suit, and that said land is a part of the