and will from time to time and at all times forever hereafter save and keep harmless as well the said James Carroll as the land aforesaid of and from all charges troubles encroachments or incumbrances the rents which shall or has become due from the twenty fifth day of March last as aforesaid excepted of what nature or kind soever and lastly the said Thomas Gafaway and Susannah his wife covenant promise grant and agree to and with the said James his heirs and assigns that they the said Thomas and Susannah their and either of their heirs shall and will from time to time and at all times forever at the request of and at the cost and charges of the said James his heirs or assigns do make acknowledge suffer and execute any other further Instrument in writing as the said James his heirs or assigns or their Counsel shall devise advise for the further and better assurance surety and sure making the said four hundred acres of land unto him the said James his heirs and assigns forever. In Testimony whereof the parties to these presents have interchangeably put their hands and affixed their seals the day and year above written.

Sealed and Delivered in the Presence of, Ann Jones, Ma. Larkin — Thomas Gafaway (Seal) — Susannah Gafaway (Seal)

September 20th 1709 Then came before us Richard Jones Junior and Thomas Larkin two of her Matyes Justices for the County of Anne Arundel Thomas Gafaway within mentioned and acknowledged this deed according to act of Assembly also Susannah his wife Daughter & legatee of the within mentioned Hanlopp who being examined according to law declared that she consummates this deed without the compulsion or coertion of the said Thomas her husband In Testimony whereof we have hereunto set our hands the day and year above —.

Richard Jones. Thomas Larkin

September the twenty fifth 1709 then Received sixteen Shillings for the alienation of the within land. Ch. Carroll.

Enrolled. October 24th 1709. Robt. Hall Clk.

In Testimony that the aforegoing is a true copy taken from Lib. P.K. folio 99. One of the Ann Arundel County land Record Books, I have hereunto set my hand and affixed the seal of Office this twenty seventh day of May in the year 1805.

Seal of Ann Arundel County

Nicht. Harwood Clk.

And thereupon the Defendant by his Counsel prayed the Opinion of the Court and their direction to the jury that the said deed is inoperative to pass the estate and interest of the said Susannah in and to the said tract of land called Ayno except during the life of her said Husband. of which Opinion the Court were and so directed the Jury to which opinion and direction the plaintiff by his Counsel prays leave to except and that the Court will sign and seal this his Bill of exceptions according to the form

of the Statute in such case made and provided, and which is accordingly done this twenty eighth day of May in the year of our lord one thousand eight hundred and five.

Jeremiah Townley Chase (Seal)
John Done (Seal)
Rd. Spriggs (Seal)

The Corporation of the Roman Catholic Clergymans Lessee. No 2. vs. Philip Hammond — Ejectment

At the trial of this case the Plaintiff by his Counsel in order to support the issue on his part produced and read in evidence to the Jury the Certificate and patent of a tract of land called Ayno for which this suit is brought and which are particularly set forth in the preceding bill of exceptions, and also gave in evidence to the Jury that the said land is truly located on the plats in this cause as the pretensions of the plaintiff: and produced and read in evidence to the Jury the will of Henry Hanslop the patentee, before set forth in the preceding bill of exceptions.

And also gave in evidence to the Jury that Susannah Hanslop the devisee in said will mentioned survived her father and intermarried with Thomas Gafaway, and that the said Susannah in virtue of said will entered on and was seized of said lands and that her husband Thomas after his intermarriage became seized thereof in right of his Wife. and also gave in evidence to the Jury an entry on the Rent rolls of the land office before set forth in the preceding bills of exceptions, and also produced and read in evidence to the Jury the last will and testament of James Carroll in said entry named and his Codicil thereto, and which are set forth in the preceding bill of exceptions, and gave in evidence to the jury that the said James Carroll died in possession of said lands: and further gave in evidence to the jury that George Thorold in said Codicil mentioned after the death of said James Carroll the testator in virtue of said will and Codicil entered on said lands in the said Wills and declarations mentioned and possessed the same claiming the whole thereof and duly made & executed his last will & testament & which is as follows;

In the name of god amen, I George Thorold of Ann Arundel County in the province of Maryland ills make this my last will and testament in manner and form following. Imprimis. I bequeath my soul to god and my body to the earth from whence it came trusting in the merits of my dying saviour that I shall see and enjoy him a happy eternity. Item. I bequeath all my estate both real and personal that is to say all those lands in Prince Georges and Anne Arundel Countyes with all the appurtenances thereunto belonging as all other estate both reale and personalle wheresoever and of what denomination soever except that part of my real estate in England formerly conveyed by deed duly Executed to the Honorable Lord Cardigan which sale by these presents I do _____ _____ to my well beloved friend