

Franks & Gibson et al

To

Hepler, Maiden  
Miss State Penitentiary

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Prayers of Defolt  
Refused.

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14<sup>th</sup> Feb. 1909

*Refused*

DEFENDANT'S FIRST PRAYER.

The Defendant prays the Court to rule as a matter of law that there is no legally sufficient evidence in this case to show that the Plaintiffs herein are at this time entitled to the possession of the land described in the declaration, and the verdict therefore must be for the Defendant.

*Refused*

DEFENDANT'S SECOND PRAYER.

The Defendant prays the Court to rule as a matter of law that there is no legally sufficient evidence in this case to show that the Plaintiffs herein were, at the time this suit was instituted, entitled to the possession of the land described in the declaration, and that therefore the verdict must be for the Defendant.

*Refused*

DEFENDANT'S THIRD PRAYER.

The Defendant prays the Court to rule as a matter of law that there is no legally sufficient evidence in this case to show that the Plaintiffs herein are entitled to the legal title to the land described in the declaration, and the verdict therefore must be for the Defendant.

*Refused*

DEFENDANT'S FOURTH PRAYER.

The Defendant prays the Court to rule as a matter of law that there is no legally sufficient evidence in this case to show that the Defendant herein is in possession of the land described in the declaration at this time, or that he was in such possession when this suit was instituted, and that therefore the verdict herein must be for the Defendant.

*R. Jones*

DEFENDANT'S FIFTH PRAYER.

The defendant prays the Court to rule as matter of law, that there is no evidence in the case legally sufficient to entitle the plaintiffs to recover, and that the verdict must be for the defendant.

*Refused*

IN SENATE, JANUARY SIXTH, 1874.

The defendant prays the Court to rule in matter of law that the defendant Weyler, Warden of the Directors of the Maryland Penitentiary is not liable to be sued in this cause, and that therefore the verdict must be for the defendant.