

taken his claims amounting to about thirteen thousand dollars (\$13000) must for the purposes of this hearing be considered as not established. The court will therefore remand the commission in this case so that Hardt and Keifer, and the Bank may have another opportunity to prove their claims and that further proof may be taken by the parties to this cause touching the questions herein just indicated, as being unsatisfactory to the court. In reference to the claims of title to the land asserted by Burgess Hammond and Charlotte L. Wood the decisions of the Court of Appeals of this State, are clear, that title to land may be acquired by a parcel gift especially when accompanied by possession, and when the proof is clear, definite and conclusive as to the gift, Courts of Equity will not hesitate to maintain and protect the donor's title. Northington and Anderson vs Shipley & Hill 449 Haines et al vs Haines and Hardisty 6 Md 435 Hardisty vs Richardson Exr 44 Md 617. The testimony of Mrs P Hammond Elias L. Delashmuth, Geo W. Duwall Dr. J. N. Wood Miss Dousilla Hammond and the testimony of Basil Wood and Charlotte L. Wood in reference to the farm claimed by Burgess Hammond and the acts of ownership on the part of Burgess from the time of his taking possession of the farm in 1852 to the time of Thomas Hammond's death in 1874 conclusively prove the fact of the gift. The testimony of Ephraim Richmond, John B. Gantrell Hiram Woodward, Andrew Alexander Elias Mc Wood Joshua Wood Dr. Sappington, and acts of ownership on the part of Mrs Wood clearly established the gift of the farm in Carroll County to her she entered into a contract to sell it out, and sold wood and crossed the farm to the knowledge of Thomas Hammond and was all the while in the exclusive possession and enjoyment of the land as her own. The evidence unquestionably shows that at the time the parties went into the possession and occupancy of the farms given to them by their uncle he was possessed of ample means and more than enough to pay all his debts. Holding these views in regard to the character and effect of the gifts to Burgess Hammond and Charlotte L. Wood we do not think the deed executed by Thomas Hammond on the 13th day of June A. D. 1874 to Dawson V. Hammond can effect their title. It is unnecessary to pass upon the exceptions filed by Burgess Hammond and Mrs Wood to the admissibility of the testimony referred to in said exceptions. It is therefore this 24th day of June A. D. 1878 by the Circuit Court for Frederick County as a Court of Equity and by the authority thereof adjudged, ordered and decreed that the Original and amended bills in this case in so far as the same embrace and refer to the lands in the possession of Burgess Hammond and Charlotte L. Wood, and given to them by Thomas Hammond in his life time be and the same are hereby dismissed as to the said Burgess Hammond and Dousilla Hammond his wife and Basil Wood and Charlotte L. Wood his wife and it is further ordered and decreed by the authority aforesaid that the commission in this case be and the same is hereby remanded to the standing Commissioners with power to the parties

Claim of
 Statute of
 Limitations

Cause
 Against
 Supplemental
 Answer