

NO 8177. Equity.

degrees East 56 poles to a Stone marked 124; thence South 6 degrees West 40 poles to a Stone marked B. G. S. S. & F. S.; thence South $2\frac{1}{2}$ degrees West $6\frac{1}{2}$ poles to a Stone marked No. 1; thence North 65 degrees East $16\frac{1}{2}$ poles to a Stone marked No. 2; thence North $19\frac{1}{2}$ degrees East $31\frac{1}{2}$ poles to a Stone marked No. 3; thence with a straight line to the beginning. Containing $41\frac{3}{4}$ acres, be the same more or less. being the same land which was conveyed to Elisha Howard by the Bank of the United States by deed dated March 22. 1835. and recorded in Liber G. S. No. 44. folio 84. et seq. of the Land Records of Frederick County, Maryland, excepting, however, one acre, one rod and ten perches, being of older survey, be the same more or less. conveyed by Elisha Howard, and wife to Warren Sellman, by deed dated June 11. 1844. and recorded in Liber N. S. No. 22. folio 79. et seq. of said Land Records, and establishing and declaring the title of Complaint to said property, as a good and marketable title,

The bill, in substance, states that the Defendant William H. Millan has contracted with the Complainant to purchase said property, and failed and refused to keep said contract and to pay the purchase money on the alleged ground that the Complainant has not a good title to said property; that Complainant's title is good by the adverse possession of himself and those through whom he claims for more than fifty years; that Elisha Howard purchased said land from the Bank of the United States and rec'd a deed therefor from said bank, dated the 22nd. day of March, 1835. and recorded among the Land Records of said County in Liber G. S. No. 44. at folio 84 et seq.; that Caspar Maury, "late Sheriff" of said County, conveyed all rights and title of Elisha Howard in and to said land to Samuel S. Hayes, by deed dated the 3rd. day of March, 1850. and duly recorded among said Land Records; that said Samuel S. Hayes entered into possession and ownership of said land and so continued until some time 1857. when he died leaving a will, which has been duly probated and recorded in Montgomery County, Maryland, and a copy whereof has been filed and recorded in the office of the Register of Wills of said Frederick County; that by said will he directed that the residue of his estate, which included the aforesaid property, be sold, and the proceeds divided between his heirs so that they should all share equally; and that John N. Truette, husband