aforesaid before the Court of Appeals here until the second Monday in June next to hear the judgment of the Court of Appeals here, of and upon the premises for that the Court now here as yet are not &c. At which said second Monday in June being the eighth day of the said month in the year of our Lord one thousand eight hundred and forty, come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid. But because the Court of Appeals here are not yet advised what judgment to give of and upon the premises a day therefore is further given to the parties aforesaid with the consent of the said parties by their attorneys aforesaid before the Court of Appeals here, until the first Monday in December next, to hear the judgment of the Court of Appeals here of and upon the said premises for that the Court now here has yet are not &c. And now at this day, to wit, the said first Monday in December being the seventh day of the said month, in the year of our Lord one thousand eight hundred and forty come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid. Whereupon as well the record and proceedings aforesaid and the judgment given in form aforesaid, as the matters aforesaid by the said Mary Ann Smith above for error assigned being seen and by the Court of Appeals here fully understood and mature deliberation thereupon had for that it appears to the Court of Appeals here, that there is error in the record of proceeding aforesaid and also in the giving of the judgment aforesaid. Therefore it is considered by the Court of Appeals here, that the judgment aforesaid for those errors and others in the record and proceedings aforesaid be revoked, annulled and held entirely as void, and that the said Mary Ann Smith be restored to all things which by reason of the judgment aforesaid she hath lost; Thereupon the Court here, according to the directions of the act of Assembly in such case made and provided, order and direct a remission of the record and proceedings aforesaid to the clerk of the said County Court of Harford County with the writ of the State of Maryland of procedendo to the said County Court, directing them to proceed in the action aforesaid and to a new trial thereof, in the same manner as if no trial had taken place or any appeal had been prosecuted, it is also considered by the Court here that the said Mary Ann Smith recover against the said John Hannah and others, the sum of ninety five dollars and twenty six cents by the Court here adjudged unto the said Mary Ann Smith on her assent for her costs and charges by her laid out and expended about her prosecution of the appeal aforesaid and that the said Mary Ann Smith have thereof execution &c. The record and proceedings aforesaid with the said writ of procedendo are therefore remitted to the clerk of the said County Court of Harford County accordingly &c.

Exd.

Test, Richard W. Gill, Clk.
Court Appeals, Ulst. Md.

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| Elias Boothe Samuel Boothe and Stanislaus Boothe Terre Tenants of George Boothe. vs Clements Dorsey's Lessee use of Jeremiah Alvey. | Be it remembered, That now here on the first Monday in December being the second day of the said month in the year of our Lord one thousand eight hundred and thirty nine the Chief Judge and associate Judges of the first Judicial District of Maryland in pursuance of the directions of the act of Assembly in such case made and provided transmit to the Court of Appeals |

here the record of proceedings of a plea which was lately depending before them in the County Court of Saint Mary's County between John Denn Lessee of Clement Dorsey plaintiff, and Elias Boothe, Samuel Boothe and Stanislaus Boothe Terre tenants of George Boothe defendants



and wherein the said County Court gave judgment for the said John Denn Lessee as aforesaid against the said Elias Boothe, Samuel Boothe and Stanislaus Boothe Terre Tenants aforesaid and from which said judgment the said Elias Boothe Samuel Boothe and Stanislaus Boothe Terre Tenants as aforesaid appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following to wit.

Saint Marys County to wit.

At a County Court of the State of Maryland for the first Judicial District begun and held at Leonard Town in and for the County aforesaid on the first Monday of August being the fifth day of the same month in the year of our Lord one thousand eight hundred and thirty nine and in the sixty fourth year of the Independence of the United States of America.

Present, The Hon'ble, John Stephen Esquire Chief Judge
Redmund Key and
Clement Dorsey Esquires Associate Judges.

Thomas W. Morgan Esq. Shff. Jo. Harris, Clk.

In the record of proceedings of the said Court amongst others were the following to wit.

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| Clement Dorsey's Lessee use of Jeremiah Alvey. vs Elias Boothe Samuel Boothe and Stanislaus Boothe Terre Tenants of Geo. Boothe. | Be it remembered that heretofore to wit on the twenty first day of May in the year of our Lord one thousand eight hundred and thirty two the said John Denn Lessee of Clement Dorsey by Vernon Dorsey his attorney prosecuted and sued forth of and upon a Judgment in the Court here rendered the writ of the State of Maryland of Scire facias to the |

Sheriff of Saint Marys County directed in the words and of the tenor following to wit.

Saint Mary's County to wit The State of Maryland to the Sheriff of Saint Mary's County greeting: whereas at a County Court begun and held at Leonard Town on the first Monday of August eighteen hundred and twelve a certain John Denn Lessee of Clement Dorsey by the Judgment of the same Court recovered against a certain George Boothe late of Saint Marys County yeoman his Term yet to come and unexpired of in and unto all that tract or parcel of land called Hopton Park, which the said Clement on the thirty first day of December eighteen hundred and five at Saint Marys County aforesaid had demised to the said John Denn for a term of years which is not ended, To Have and to occupy the same to the said John Denn and his assigns from the thirty first day of December then last past until the full end, and Term of ten years from thence next ensuing and fully to be complete and ended, which is not yet expired or past by virtue of which said demise the said John Denn entered into the said tract or parcel of land with the appertenances so demised to him the said John Denn and became and was thereof possessed until the said George Boothe afterwards with force and arms and so forth ejected expelled put out and amoved the said John Denn from the said Tract or parcel of land with the appertenances so demised to him in form aforesaid for the term aforesaid which is not expired and also the sum of nine dollars and thirty three and one third cents for his damages which he had sustained as well by reason of the trespass and ejectment aforesaid as for his costs and charges by him about his suit in that behalf expended whereof the said George Boothe is convict as by the record and proceedings thereof now remaining in the said Court more manifestly appears. And whereas also in the said Court on the first Monday of March eighteen hundred and seventeen it was considered that the said John Denn Lessee