and the same are hereby transmitted to the same court accordingly. —

and afterwards the aforesaid Richard Smith Lessee of the aforesaid David West by his attornies aforesaid prays an appeal from the Judgment aforesaid so as aforesaid rendered to the State of Maryland High court of appeals and the same is granted unto him. It is therefore also ordered by the court here that the record and proceedings aforesaid with all things thereunto relating be transmitted to the said State of Maryland High court of appeals, and the same are hereby transmitted to the same court accordingly. —

Test John Gwinn Clk

The State of Maryland set.

I hereby certify that the aforegoing transcript is truly taken from the record of proceedings of the General court of the Western shore of the said State. —

In Testimony whereof to this exemplification (the same being first duly stamped) I have hereunto set my hand and affixed the Seal of the said General court, this thirty first day of may in the year of our Lord one thousand eight hundred; and in the twenty fourth year of the Independence of the United States of America. —

Seal

John Gwinn Clerk General Court. Western shore, state of Maryland

At which day to wit the said second tuesday of June being the tenth of the same month in the year of our Lord one thousand eight hundred, comes into the High court of appeals as well the said Zenas Hughes and Isaac Hughes by Philip B Key. John Johnson and Luther Martin their attornies as the said David West by Aquila Hall. Zebulon Hollingsworth and John Thomson Mason his attornies; and thereupon on motion of the said appellee by his attornies aforesaid. — It is ruled by the court here that the said Appellants assign the errors in the record of proceedings between the said Appellants and the said Appellee before the court here brought for correcting those errors in the record and proceedings aforesaid supposed to be therein or Judgment by the Court here will be entered against them in default thereof. Whereupon the said Appellants by their attornies afores.d come and pray a day of imparlance to the errors aforesaid for the reversal of the Judgment aforesaid by them the aforesaid appellants to be assigned until the second tuesday of November next and then to assign those errors for the reversal of the Judgment aforesaid in the record and proceedings aforesaid rendered and to them it is granted the same day is given to the said Appellee also. —. At which said second

tuesday of november being the eleventh day of the same month in the year last aforesaid to which said day the said Appellants had leave to imparle and then to assign those errors for the reversal of the Judgment in the record and proceedings aforesaid rendered supposed to be therein comes again into the High court of appeals here as well the said Appellants by their attornies aforesaid as the aforesaid Appellee by his attornies aforesaid and the said Appellants by their attorneys aforesaid come and say that in the record and process aforesaid and also in the rendering of Judgment aforesaid there is manifest error in this court. That whereby the record aforesaid it appears that the Judgment aforesaid in the plea aforesaid rendered was given for the said Appellee against the said Appellants. Therefore in that there is manifest error and they pray that the Judgment aforesaid for that error and others being in the record and process aforesaid may be reversed annulled and held entirely as void and that the said Appellants may be restored to all that they hath lost by occasion of the Judgment aforesaid and that the said Appellee may rejoin to the errors aforesaid &c. And the said Appellee by their attornies aforesaid says there is no error either in the record and proceedings aforesaid, or in the rendition of the Judgment aforesaid and prays likewise that the Court here may proceed to the examination as well of the record and proceedings aforesaid as of the matters aforesaid by the said Appellants above for errors assigned and that the said Judgment may be in all things affirmed and so forth. But because the Court here are not yet advised to give their Judgment of and upon the premises, day therefore is given to the parties aforesaid before the court here until the second tuesday of June next to hear their Judgment of and upon those premises because the court now here thereof are not yet advised &c. At which said second tuesday of June being the ninth day of the same month in the year of our Lord one thousand eight hundred and one comes again into the High court of appeals here as well the aforesaid Appellants by their attornies aforesaid as the said Appellee by his Attornies aforesaid, but because the court here are not yet advised to give their Judgment of and upon the premises day therefore is further given to the parties aforesaid before the court here until the second tuesday of November next to hear their Judgment of and upon those premises because the court now here thereof are not yet &c. At which said second tuesday of November being the tenth day of the same month in the year last aforesaid, comes again into the High court of Appeals here as well the aforesaid Appellants by their attornies aforesaid as the said Appellee by his Attornies aforesaid. But because the