afterwards, to wit, on the eighth day of february in the year of our lord one thousand eight hundred and three, the said James H Blake by his attorney aforesaid presented the court of the State of Maryland for the correcting of errors of and upon the Judgment aforesaid, directed to the Judges of the General court here in the words and of the tenor following, to wit, -

Maryland Sc. The State of Maryland to the honourable the Judges of the General court, Greeting, because in the record and process, and also in the rendering of Judgment on a certain action brought by Walter Brookes against James H. Blake for his term yet to come and unexpired of and in a tract or parcel of plantable land called Brothers Industry with the appurtenances situate lying and being in montgomery county and costs of suit at a General court held before you, our said Judges, at October term last manifest error, as it is said, hath happened, to the great damage of the said James H Blake as of his complaint we have received, and we being willing that the errors, if any there be, should be duly corrected, and full and speedy justice done to the said James H Blake in this behalf, command you, that if Judgment be thereof rendered, that then the record and process aforesaid with all things thereunto relating under your seals, distinctly and openly you send, and this writ, so that the same may be had before the Judges of our high court of appeals at Annapolis, on the second tuesday of June next, that the record and process aforesaid being inspected into, we may further do therein for correcting that error, which of right, and according to the laws and customs of this State ought to be done. Witness the honourable Alexander Contee Hanson Chancellor this eighth day of february eighteen hundred and three. -

Test Samuel Harvey Howard Deputy Clerk

In pursuance whereof, and according to the form and effect of the act of assembly in such case made and provided a transcript of the record of proceedings of the Judgment aforesaid, and all things thereunto relating, with the writ of error aforesaid annexed, is hereby transmitted to the said High Court of appeals. —

Test John Green Clerk

Maryland Sc

I hereby certify, that the aforegoing is truly taken from the record of proceedings of the General court of the State of Maryland held for the western shore. —

In Testimony whereof I hereunto subscribe my name and affix the seal of the said General court, this eight day of february in the year of our lord one thousand eight hundred and three and in the twenty seventh year of the Independence of the United States of America. — (Seal)

John Green clerk Gen.l C. W.S. of Maryland



At which day to wit, the second tuesday of June being the fourteenth day of the same month, in the year of our lord one thousand eight hundred and three, comes into the court of appeals here as well the said James H Blake by John Thomson Mason and John Mackall Gantt his attornies; as the said Richard Smith Lessee by Richard Ridgely and John Johnson his attornies; and thereupon on motion of the said Richard Smith Lessee by his attornies aforesaid, it is ordered by the court here, that the said James H Blake assign the errors in the record of proceedings of the Judgment aforesaid, brought before the court here for correcting the errors supposed to be therein, or Judgment by the court here will be entered against him in default thereof: Whereupon the aforesaid James H Blake by his attornies aforesaid, prays that a day may be given him for the assignment of errors of and upon the record of proceedings of the Judgment aforesaid until the second tuesday of november next, and to him it is granted, the same day is given to the said Richard Smith Lessee also; at which said second tuesday of november being the fourteenth day of the same month in the year last aforesaid, which said day was given to the said James H. Blake for the assignment of errors of and upon the record and proceedings of the Judgment aforesaid, comes again into the court of appeals here, as well the aforesaid James H Blake by his attornies aforesaid, as the said Richard Smith Lessee as aforesaid by his attornies aforesaid; And the said James H Blake by his attornies aforesaid, saith, that in the record and proceedings aforesaid, and also in the giving of Judgment aforesaid, there is manifest error in this, to wit; that by the record aforesaid it appears, that the Judgment aforesaid, in the plea aforesaid given, was given for the said Richard Smith Lessee as aforesaid, when by the law of the land that Judgment ought to have been given for the said James H. Blake against the said Richard Smith Lessee as aforesaid, therefore in that there is manifest error, and he prays that the Judgment aforesaid for that error, and others, being in the record and proceedings aforesaid, may be reversed, annulled, and held entirely as void, and that he the said James H Blake may be restored to all that he has lost by occasion of the said Judgment, and that the said Richard Smith lessee as aforesaid may repair to the errors aforesaid &c. and the said Richard Smith lessee as aforesaid by his attornies aforesaid, says, there is no error 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 James H Blake above for errors assigned, and that the said Judgment may be in all things affirmed &c. - 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 the premises, because the court now here thereof are not yet advised, &c. at which said