Keefer above for error assigned, being seen, and by the Court here being fully understood, and mature deliberation being thereupon had, for that it appears to the Court here, that in the record and process aforesaid, and also in the giving of the Judgment aforesaid, it is manifestly erred, Therefore it is considered by the Court here, that the Judgment aforesaid, for the error aforesaid, and others in the record and process aforesaid, be reversed, annulled and entirely for nothing esteemed; It is also considered by the Court here, that the said Margaret Keefer recover against the said John Marker her seisin of the third part of one hundred and sixty acres of Land situate in Frederick County aforesaid and consisting of part of a tract of Land called Tatnum Green and part of a tract called Ohio, the said two parts lying and being contiguous to each other and also the one third part of the appurtenances which she claimed as her dower of the endowment of Bartle Keefer her late husband, as also the sum of Two dollars current money and quantity of One thousand seven hundred and ten pounds of Tobacco, by the Court now here adjudged unto the said Margaret Keefer on her assent for her costs and charges by her sustained about the prosecution of her said Appeal of and upon the premises as aforesaid prosecuted, and that the said Margaret Keefer have thereof execution, and so forth.

Memorandum, Judgment reversed in this Cause on the tenth day of January in the year of our Lord one thousand eight hundred and seven; and Judgment for Seisin of and in one third part of One hundred and sixty acres of Land lying in Frederick County and consisting of part of a tract of Land called Tatnum Green and part of a Tract called Ohio, the said two parts lying and being contiguous to each other, and also the one third part of the appurtenances and costs.

32 sides — Test — Thomas Harris Junr. Clk.

Paul Hoye against Matthew Van Lear

Be it remembered that heretofore, to wit; on the second Tuesday of October being the Eighth day of the said month, in the year of our Lord one thousand eight hundred and five, the Chief Justice and associate Justices of Washington County Court in pursuance of an Act of Assembly in such case made and provided transmitted to the late General Court the Record and proceedings of a plea, which was lately depending before them in the said County Court between Paul Hoye Plaintiff, and Matthew Vanlear Defendant; and wherein the said County Court gave Judgment for the said Matthew Vanlear against the said Paul Hoye and from which Judgment the said Paul Hoye prayed an Appeal unto the said late General Court; the tenor of which said Record and proceedings is in form following, to wit;

Washington County, to wit; At a County Court of the fifth Judicial district of the State of Maryland, begun and held at Elizabeth Town in and for the County aforesaid; on the third Monday of August in the Year of our Lord one thousand eight hundred and five; And

in the Thirtieth year of the Independence of the United States of America.

Were present.

The Honorable, William Cragett Esquire Chief Justice; Robert Hughes and Martin Kershner, Esquires Associate Justices

Nathaniel Rochester Esquire Sheriff — Otho H Williams Clerk

In the Record of proceedings of the said Court amongst others were the following, to wit;

J.B. R.B.I. Paul Hoye vs. M.H. R.N. Matthew Van Lear

Be it remembered that heretofore, to wit, on the twenty third day of January in the Year of our Lord one thousand eight hundred and four, the said Paul Hoye by John Buchanan his Attorney, prosecuted and sued forth out of the County Court here the Writ of the State of Maryland of Capias ad respondendum directed to the Sheriff of Washington County in the words following, to wit;

Washington County, to wit, The State of Maryland, To the Sheriff of Washington County, Greeting, we command you, that you take Matthew Van Lear late of Washington County Yeoman, if he be found in your bailiwick and him safe keep, so that you have his body before the Justices of our next County Court, to be held at the Court house in Elizabeth Town, in said County, on the third Monday of February next; to answer unto Paul Hoye in a plea of Trespass on the case and so forth, hereof fail not at your peril, and have you then and there this writ. Witness William Cragett Esquire Chief Justice of our said Court, the 21st day of September 1803.

O. H. Williams Clk.

Issued the 23d day of January 1804. (J.B.)

At which mentioned third Monday of February, being the 20th day of the same month in the year last aforesaid, and the day of the return of the aforegoing writ, comes here into Court the said Paul Hoye by his Attorney aforesaid, And the Sheriff of the County aforesaid, to wit; Jacob Schnebly, Gentleman, to whom the said aforegoing writ was in form aforesaid directed, makes return thereof to the Court here, thus endorsed. Cepi — Jacob Schnebly Shff.

And the said Matthew Vanlear by Samuel Hughes his Attorney, appears in Court here And thereupon the said Matthew Vanlear by his said Attorney, prays that the said Paul Hoye may declare against him the said Matthew Vanlear in the plea aforesaid, and if the said Paul Hoye doth not declare against the said Matthew Vanlear in the plea aforesaid, Judgment will be rendered against him by default; And the said Paul Hoye by his said Attorney prays leave of the Court here to imparle until the third Monday of August next; to declare against the said Matthew Vanlear in the plea aforesaid, and he hath it; the same day is given to the said Matthew Van Lear then &c.

At which said third Monday of August being the 20th day of the same month, in the year last aforesaid until which day the said Paul Hoye had leave to imparle and then to declare as the