June Term 1809.

Martin. Taney. Lawrence.

Thomas Burke

vs

Schnauer. State of Maryland.

Be it remembered that heretofore towit on the fifth day of June in the year of our Lord one thousand eight hundred and nine the said Thomas Burke by Luther Martin. Roger Brooke Taney and Upton Lawrence his attornies prosecuted and sued forth out of the court of chancery of the State of Maryland the writ of the said State for the correcting of Errors directed to the Honourable the Judges of the fifth Judicial District in the words and of the tenor following, towit: Maryland Set The State of Maryland. To the Honourable the Judges of the fifth Judicial District greeting. Because in the Record and process and also in the rendering of Judgment of Conviction & prosecution by the State against Thomas Burke in Washington county court at a County court held before you our said Judges at March Term last manifest error as it is said hath happened to the great Damage of the said Thomas Burke as of his complaint we have received: and we being willing that the error if any there be should be duly corrected and fully and speedy — Justice done to the said Thomas Burke 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 third Monday in June instant 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 may be done. Witness the Honourable William Kilty chancellor this fifth day of June Eighteen hundred and nine.

Test. Nich. Brewer Reg. Cur. Can.

At now here at this day towit. the third Monday of June being the nineteenth day of the said month in the year of our Lord one thousand eight hundred and nine. and the day of the return of the aforegoing writ the Honourable the Judges of the fifth Judicial District to whom the said aforegoing writ was in form aforesaid directed in pursuance thereof and according to the form and effect of the Statute in such

(Case)

June Term 1809.

case made and provided certify and transmit to the court of Appeals here together with the said writ a Record of the proceedings of the Judgment in the said writ specified and which said Record is in form following, towit. Washington County towit. At a county court of the fifth Judicial District of the State of Maryland begun and held at the Court House in Elizabeth Town in and for the County aforesaid on the fourth monday in March being the twenty seventh day of the same month in the year of our Lord one Thousand Eight hundred and nine.

Present

The Honourable John Buchanan Esquire Chief Judge
Abraham Shriver Esquire associate Judge

Isaac L. White Esquire Sheriff. O. H. Williams, Clerk

In the Record of proceedings of the said court, amongst others were the following, towit:

State of Maryland against Thomas Burke — Be it remembered that the Chief Judge and one of the associate Judges of Frederick County court in pursuance of the Act of Assembly in such case lately made and provided, transmitted to the county court here the Record of proceedings in a prosecution of the State of Maryland against Thomas Burke lately depending before them in Frederick County court aforesaid. the tenor of which said Record and proceedings is in form following, towit:

Lett. Rec. R.B.H.

State of Maryland Frederick county towit. At a county court begun and held at the court House in Frederick Town in and for the said County on the first monday and sixth day of February in the year of our Lord one Thousand eight hundred and nine.

Present

John Buchanan Esquire Chief Judge
Abraham Shriver Esquire one of the associate Judges

George Creager Junr. Esquire Sheriff. William Ritchie Clerk

Are the following proceedings, towit:

State of Maryland against Thomas Burke — Indictment — Transmitted to Washington county court. Be it remembered that at this present term that is to say at a county court

(begun)