Eighteen hundred and eleven. Test. Nich. Brewer Reg. Cur. Cancr.

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. Wm. T. Green Clk.

Maryland sc. I hereby certify that the aforegoing is truly taken from the Record of proceedings of the County Court for Anne Arundel County.

Seal of Anne Arundel Coty Ct.

In Testimony whereof I hereto subscribe my name and affix the seal of the said County Court this thirteenth day of May in the year of our Lord One thousand eight hundred and eleven. And in the thirty fifth year of the Independence of the United States of America. Wm. T. Green Clk. A. A. Coty Ct.

And on the said day to wit the said third Monday of June in the year aforesaid come into the Court of Appeals here as well the said Alfred Warfield by William H. Marriott his attorney as the said John Borland by Thomas B. Prosey his attorney; and thereupon on motion of the said John Borland by his attorney aforesaid it is rule'd by the Court here that the said Alfred Warfield assign the errors in the Record of proceedings of the Judgment aforesaid brought before the Court here for the correcting of errors supposed to be therein or Judgment by the Court here will be entered against him in default thereof; and the said Alfred Warfield by his said attorney saith that in the Record of proceedings aforesaid and also in giving of Judgment aforesaid there is manifest error in this to wit that by the Record of proceedings aforesaid it appears that the Judgment aforesaid in the plea aforesaid given was given for the said John Borland against the said Alfred Warfield when by the law of the land that Judgment ought to have been given for the said Alfred Warfield against the said John Borland therefore in that there is manifest error and he prays that the Judgment aforesaid for that error and others being in the Record of proceedings aforesaid may be reversed annulled and held entirely as void. And that he the said Alfred Warfield may be restored to all he hath lost by occasion of the said Judgment. And that the said John Borland may rejoin to the errors aforesaid and so forth: And thereupon on motion of the said Alfred Warfield by his attorney aforesaid it is rule'd by the Court here that the said John Borland join in the errors by the said Alfred Warfield above assigned in the Record and proceedings of the Judgment aforesaid or Judgment by the Court here will be rendered against him in default thereof: And the said John Borland by his said attorney prays a further day in Court here until the third Monday of December next to join in the errors by the

(said)

said Alfred Warfield above assigned in the Record and proceedings aforesaid. and he hath it: the same day is given to the said Alfred Warfield &c.

At which said third Monday of December being the sixteenth day of the same month in the year of our Lord One thousand eight hundred and eleven which said day was given to the said John Borland to join in the errors aforesaid, come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid: and the said John Borland by his attorney aforesaid says, there is no error in the Record of proceedings aforesaid or in the rendition of the Judgment aforesaid and prays that the Court here may proceed to the examination as well of the Record of proceedings aforesaid as of the matters aforesaid by the said Alfred Warfield above for error assigned and that the said Judgment may be in all things affirmed and so forth: But because the Court here are not advised to give their Judgment of and upon the premises aforesaid day therefore is given to the parties aforesaid before the Court here until the last Monday of May next to hear their Judgment of and upon the premises because the Court here thereof are not advised and so forth.

At which said last Monday in May being the twenty fifth day of the said month in the year of our Lord One thousand eight hundred and twelve, come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid: Thereupon further process of and upon the premises between the parties aforesaid is continued in virtue of an act of Assembly in such case made and provided until the first Monday in December next the same day is given to the parties aforesaid there &c. to hear the Judgment of the Court here of and upon the premises. &c.

And now at this day to wit the said third Monday of December being the seventh day of the said month in the year of our Lord One thousand eight hundred and twelve, come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid: And the said John Borland by his Attorney aforesaid offers himself against the said Alfred Warfield of and upon the premises and prays that the Court here will proceed to the examination as well of the Record and proceedings aforesaid as of the matters above assigned for error. and that the said Judgment may be in all things affirmed &c. And for as much as the said Alfred Warfield doth not allege to the Court here any matter or thing for the reversal of the Judgment aforesaid nor insist upon the matters aforesaid by him above for error assigned: Therefore it is considered by the Court here that the Judgment aforesaid in form aforesaid given be in all things affirmed and stand in full force and effect the said causes for error above assigned and alleged in any wise notwithstanding; And it is further considered by the Court here that the said John Borland have execution against the said Alfred Warfield for as well the Debt Damages costs and charges as adjudged unto him in the aforesaid County Court of Anne Arundel County as also the sum of ten Dollars and fourteen cents also adjudged by the Court here unto the said John Borland on his

(assent)