court of Charles wherein you rendered judgment for the said Margery Fowke against the said Clement Kennedy junior and from which said judgment so rendered the said Clement Kennedy junior appealed to the court of appeals held for the Western Shore at the city of Annapolis on the third monday in December in the year of our Lord one thousand eight hundred and ten, and in pursuance of the said appeal, a transcript of the record of proceedings in the plea aforesaid was transmitted: And whereas also it hath been suggested in the said court of appeals held as aforesaid on the first monday in December last, on the part of the said Margery Fowke that the said record is diminished in as much as no issue is joined on the replication of no rent in arrear, and for as much as the Judgment on the Demurrer is erroneously certified in the record of the proceedings so as aforesaid transmitted. And for as much as the said court of appeals are not satisfied that there is a sufficient record sent in the plea aforesaid, but that in the record thereof there is diminution Therefore you are hereby commanded that without delay a full transcript of the whole proceedings therein you cause to be immediately transmitted to the court of appeals to be held for the Western Shore at the city of Annapolis without any diminution or addition whatsoever, to the end that speedy justice may be done in the premises according to law, whereof you are in no wise to fail and send you then and there this writ Witness the Honourable Jeremiah Townly Chase Esquire chief Judge of the said court of appeals the sixth day of December in the year of our Lord one thousand eight hundred and thirteen.

Issued the 1st of March 1814.

C Dorsey for appellee — R Harris Clerk

Thereupon further process of and upon the premises between the parties aforesaid is further continued until the last monday in May next the same day is given to the said parties then &c.

At which said last monday in May being the twenty ninth day of the said month, in the year of our Lord one thousand eight hundred and fifteen come again into the court of appeals here the parties aforesaid by their attorneys aforesaid. Thereupon further

process of and upon the premises between the parties aforesaid with the consent of the said parties by their attorneys aforesaid, is further continued before the court of appeals here until the first monday in December next the same day is given to the said parties then and there &c.

At which said first monday in December being the fourth day of the said month, in the year of our Lord one thousand eight hundred and fifteen come again into the court of appeals here the parties aforesaid by their attorneys aforesaid: Thereupon further process of and upon the premises between the parties aforesaid with the consent of the said parties by their attorneys aforesaid is further continued before the court of appeals here until the first monday in June next the same day is given to the said parties then and there &c.

At which said first monday in June being the third day of the said month, in the year of our Lord one thousand eight hundred and sixteen comes again into the court of appeals here the said Margery Fowke by her attorney aforesaid and the said Clement Kennedy junior doth not come and now here also comes into the court of appeals here a certain Daniel Kennedy by Henry A Chapman his attorney and suggests to the Court here that since the last continuance of the appeal aforesaid that is to say the first monday in December last past and before this time that is to say on the day of last past the said Clement Kennedy junior the appellant in this cause departed this life having first duly made his last will and testament in writing and thereby constituted and appointed the said Daniel Kennedy Executor thereof and this is not denied; and thereupon on motion of the said Daniel Kennedy Executor as aforesaid by his attorney aforesaid he the said Daniel Kennedy Executor as aforesaid is made a party appellant in this cause to prosecute of and upon the premises. Thereupon further process of and upon the premises between the parties aforesaid is further continued before the court of appeals here until the first monday in December next the same day is given to the said parties then &c.

At which said first monday in December being the second day of the said month in the year of our Lord one thousand eight hundred and sixteen come again into the court of appeals here the parties last aforesaid