County Court here the writ of the state of Maryland of Diminution commanding the County Court here to search the records of the same Court and more fully certify the record and proceedings thereof between the parties aforesaid in the plea aforesaid which said writ of Diminution is as follows to wit

Maryland St. The state of Maryland to the Honorable the Chief Judge and associate judges of the first Judicial District Greeting. Whereas in a certain plea of Replevin & between Clement Kennedy junior plaintiff and Margery Fowke defendant lately depending before you in the County 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 Honorable Jeremiah Townley 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 day of March 1814

Thos Harris Junr Clk.

C Dorsey for appellee

In pursuance to the command of the said writ, the County Court here have duly searched the record and proceedings of the said Court in the plea aforesaid and the aforegoing is a full transcript of the whole proceedings therein without any diminution or addition whatsoever.

Seal

In Testimony whereof I have hereto subscribed my name and affixed the seal of the said County Court this twelfth day of March in the year of our Lord one thousand eight hundred and fourteen

John Barnes Clk of Charles County Court

But because the Court of appeals here are not yet advised what judgment to give of and upon the premises a day therefore is further given to the parties aforesaid with the consent of the said parties by their attornies aforesaid before the court of appeals here until the second monday in June next to hear the judgment of the Court of Appeals here of and upon the said premises for that the court now here as yet are not &c.

And now at this day to wit the said second monday in June being the twelfth day of the said month, in the year of our Lord one thousand eight hundred and twenty come again into the Court of Appeals here the parties aforesaid, by their attornies aforesaid. Whereupon all and singular the premises being seen, and by the court of appeals here more fully understood and mature deliberation thereupon had, for that it appears to the court of appeals here that there is manifest error in the record and proceedings of the judgment aforesaid as to the opinion of the said County Court and their allowing the contents of the paper to be given in evidence to the jury as stated in the bill of exceptions certified in the said record of proceedings. Therefore it is considered by the court of Appeals here that the judgment aforesaid for those errors and others in the record and proceedings aforesaid, be revoked annulled and held entirely as void, and that the said Daniel Kennedy executor as aforesaid be restored to all things which by reason of the judgment aforesaid he hath lost; Thereupon the court here, according to the directions of the act of assembly in such case made and provided, order and direct a remission of the record and proceedings aforesaid, to the clerk of the said County