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and Elizabeth Ann Ochler and their heirs as tenants in common all the right title estate and interest of them the said James Walker Harriet Walker Joseph Walker Ann Walker John Llewellin and Mary his wife and Mary Ann Millard in and to the tract or parcel of land in the proceedings mentioned called Yielding Berry lying and being in Saint Marys County.

It is further adjudged ordered and decreed that the appellants recover against the said appellees the sum of two hundred and thirty six dollars and forty two and one third cents for their costs and charges by them expended in Saint Marys County Court and in this Court.

Test. H. Harris clk

Bennet Mathens Lessee
vs
Elizabeth Boarman

Be it remembered. That now here on the second Monday in June being the thirteenth day of the said month, in the year of our Lord one thousand eight hundred and twenty five the Chief Judge and Associate Judges of the first Judicial District of Maryland, in pursuance of the directions of the act of assembly in such case made and provided, transmit to the Court of Appeals here the record of proceedings of a plea which was lately depending before them in the county court of Charles between John Dunn lessee of Bennet Mathew plaintiff, and Elizabeth Boarman defendant, and wherein the said county court gave judgment for the said Elizabeth Boarman against the said John Dunn lessee as aforesaid and from which said judgment the said John Dunn lessee as aforesaid appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following to wit:

State of Maryland Charles County Set.

At a county Court of the first Judicial District of the State of Maryland begun and held at Port Tobacco in and for Charles County aforesaid on the third monday in August being the nineteenth day of the same month in the year of our Lord one thousand eight hundred and twenty eight and the forty seventh year of the Independence of the United States of America.

Men present.

The Honble | John Stephen Esquire chief Judge
Edmund Key &
John R Plater | Esquires Associate Judges

Alexander Mathews Esqr. Sheriff
John Barnes Clk

In the record of the proceedings of the same Court amongst others is the following to wit.

Bennet Mathens
Lessee
vs
Elizabeth Boarman

Be it remembered that heretofore to wit on the sixth day of March in the year of our Lord one thousand eight hundred and twenty, John Dunn Lessee of Bennet Mathews by Nicholas Stonestreet his Attorney declared in the county Court here against Richard Fenn in a plea of trespass and ejectment with a notice thereto annexed in form following to wit

"Western Shore State of Maryland Charles County to wit. Richard Fenn late of Charles County Farmer was attached to answer unto John Dunn in a plea wherefore with force and arms and so forth at the county aforesaid he entered into all that tract or parcel of plantable land or plantation called Saint Georges lying and being in the County aforesaid containing five hundred acres which ascertain Bennett Mathew demised to the said John Dunn for a term of years not yet expired and ejected him from his said farm and other wrongs and injuries to the said John he the said Richard then and there did to the great damage of the said John and against the peace dignity and government of the State of Maryland and so forth. And wherein for the said John Dunn by Nicholas Stonestreet his Attorney complains that the said Bennett Mathew heretofore to wit on the first day of January in the year of our Lord one thousand eight

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hundred and twenty at Charles County aforesaid had demised unto the said John the said tract or parcel of land or plantation called Saint Georges lying and being in the county aforesaid containing five hundred acres with the appurtenances to have and to hold the same unto the said John and his assigns from the thirty first day of December then last past for and during and unto the full end and term of fifteen years thence next ensuing and fully to be completed and ended by virtue whereof the said John entered into the said tract or parcel of plantable land or plantation and thereof and the appurtenances there to was possessed and so being possessed the said Richard afterwards to wit on the said first day of January in the year of our Lord one thousand eight hundred and twenty at Charles County aforesaid with force and arms that is to say with swords knives clubs and staves entered into the said tract or parcel of plantable land or plantation which the said Bennett in manner aforesaid had demised to the said John for a term of years not yet expired and ejected him from his farm aforesaid and other wrongs then and there did to the great damage of the said John and against the peace dignity and government of the State of Maryland &c. wherefore he the said John says that he is injured and hath damage to the value of five thousand dollars lawful money of the United States and therefore he brings his suit and so forth.

Nicholas Stonestreet Attorney for Plff. | Pledges &c | John Doe & Richard Roe

Sir I am informed you claim title or are in possession of the premises mentioned in this declaration or some part thereof and if so I advise you to appear at the next county Court held at Charles Town (commonly called Port Tobacco) in and for Charles County and by some Attorney of that Court cause yourself to be made defendant in my stead for having been sued as casual ejector and showing and claiming right title or interest in the premises whereof I shall suffer Judgment to go against me and you will be turned out of possession. Believe me Sir your Loving friend and well wisher

To Mr Oswald Mumphey Tenant in possession of the premises or some part thereof. } Richard Fenn 1 March 1820"

A copy of which said declaration and notice was made and sent to the Sheriff of Charles County aforesaid thereon endorsed "To be served on the defendant or tenant in possession or set upon the premises at least eight days before Court."

At which mentioned third Monday in March being the twentieth day of the same month in the year of our Lord one thousand eight hundred and twenty, and the day of the return of the service of the aforegoing declaration in ejectment comes into the County Court here the said John Dunn Lessee of the said Bennet Mathen as aforesaid by his attorney aforesaid and the Sheriff of Charles county aforesaid to wit George H Spalding Gentlemen to whom a copy of the said declaration in ejectment and notice as aforesaid was in form aforesaid made and sent makes no return of the service thereof to the court here, and the said Oswald Mumphey doth not come, and thereupon the said John Dunn Lessee as aforesaid by his attorney aforesaid prosecuted and sued forth out of the County Court here an alias Copy of the declaration and notice aforesaid directed to the Sheriff of the county aforesaid thereon endorsed as aforesaid "To be served on the defendant or tenant in possession or set up on the premises at least eight days before Court"

At which mentioned first Monday in November being the sixth day of the same month in the year of our Lord one thousand eight hundred and twenty, and the day of the return of the service of the aforegoing declaration in ejectment comes again into the county Court here the said John Dunn Lessee as aforesaid by his Attorney aforesaid and the Sheriff of Charles county aforesaid to wit George H Spalding Gentlemen to whom a copy of the said declaration in ejectment was in form aforesaid made and sent makes no return thereof to the Court here, and the said Oswald Mumphey doth not come, and thereupon the said John Dunn lessee as aforesaid by his Attorney aforesaid prosecuted and sued forth out of the County Court here an alias copy of the declaration and notice as aforesaid directed to the Sheriff of the County aforesaid thereon endorsed "To be served on the Defendant or tenant in possession or set upon the premises at least eight days before Court"