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Whereupon all and singular the premises being by the Court here seen, heard and fully understood, and mature deliberation thereupon had, for that it appears to the Court here that the said Daniel Harbine is guilty of the trespass and ejectment aforesaid in manner and form as the said John Denn Lessee as aforesaid above thereof complained against him &c. Therefore it is considered by the Court here that the said John Denn Lessee as aforesaid recover against the said Daniel Harbine his several terms aforesaid yet to come and unexpired of and in all those tracts or parcels of land called "Perseverance" and "Lads and Lasses" in the declaration aforesaid mentioned, lying and being in Washington County aforesaid, with the appurtenances aforesaid, as the term of twenty three dollars and fifty five cents for his costs and charges by him about his suit in this behalf laid out and expended, adjudged to the said John Denn by the Court here on his account and the said Daniel in mercy &c.

And thereupon the said Daniel Harbine by his attorney aforesaid prays an appeal from the judgment aforesaid, so as aforesaid rendered to the Court of Appeals for the Western Shore of the State of Maryland, and it is granted him. It is therefore ordered by the Court here that the record and proceedings aforesaid, in the plea aforesaid, with all things thereunto relating be transmitted to the said Court of Appeals to be holden at the City of Annapolis on the second Monday of June next, and they are transmitted accordingly.

Test Otho A Williams Clk.

Washington County &c.

I hereby certify that the foregoing is truly taken from the record of proceedings of the County Court aforesaid. In Testimony whereof I hereunto subscribe my name and affix the seal of the said Court this twenty ninth day of May in the year of our Lord one thousand eight hundred and twenty nine. Otho A Williams Clk

(Seal) Washington Co. Md.

And now come into the Court of Appeals here, as well the said Daniel Harbine by Roger B Taney and William Price his attornies as the said John Denn Lessee of Abraham Barnes by William Weir, John McMerrien and Robert McTidball his attornies, and thereupon, on motion of the said John Denn Lessee as aforesaid by his attornies aforesaid, it is ruled by the Court here that the said Daniel Harbine assign the errors in the record of proceedings aforesaid, or in the giving of the judgment aforesaid, so as aforesaid brought before the Court of Appeals here (for correcting the errors supposed to be therein), a judgment by the Court of Appeals here will be entered against him in default thereof. And the said Daniel Harbine by his attorney aforesaid says that in the record of proceedings aforesaid, and also in the giving of judgment aforesaid, there is manifest error in this Court, that by the record aforesaid it appears that the judgment aforesaid in the plea aforesaid given was given for the said John Denn Lessee as aforesaid against

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the said Daniel Harbine, when by the law of the land that judgment ought to have been given for the said Daniel Harbine against the said John Denn Lessee as aforesaid, 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 Daniel Harbine may be restored to all things which he hath lost by occasion of the said judgment, and that the said John Denn Lessee as aforesaid may rejoin to the errors aforesaid and so forth: And thereupon it is ruled by the Court of Appeals here that the said John Denn Lessee as aforesaid join in the errors by the said Daniel Harbine above assigned in the record of proceedings aforesaid, or judgment by the Court of Appeals here will be rendered against him in default thereof. And the said John Denn Lessee as aforesaid by his attornies aforesaid, prays that a day may be given to him to join in the errors by the said Daniel Harbine above assigned in the record of proceedings aforesaid, until the first Monday in December next; and to him it is granted; the same day is also given to the said Daniel Harbine &c.

At which said first Monday in December being the seventh day of the said month in the year of our Lord one thousand eight hundred and twenty nine which said day was given to the said John Denn Lessee as aforesaid to join in the errors by the said Daniel Harbine above assigned, come again into the Court of Appeals here, the parties aforesaid by their attornies aforesaid; and the said John Denn Lessee as aforesaid by his attornies aforesaid, says that there is no error in the record of proceedings aforesaid, nor in the giving of the judgment aforesaid, and he prays that the Court of Appeals here will proceed to the examination as well of the record of proceedings aforesaid as of the matters aforesaid, by the said Daniel Harbine above for error assigned, and that the said judgment may be in all things affirmed and so forth. Thereupon further process of and upon the premises, between the parties aforesaid, is by virtue of an act of Assembly in such case made and provided, further continued, before the Court of Appeals here until the second Monday in June next; the same day is given to the said parties there then to hear the judgment of the Court of Appeals here, of and upon the said premises and so forth. At which said second Monday in June being the fourteenth day of the said month in the year of our Lord one thousand eight hundred and thirty, come again into the Court of Appeals here, the parties aforesaid by their attornies aforesaid: 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, to come before the Court of Appeals here, on the first Monday in December next, to hear the judgment of the Court of Appeals here of and upon the premises, for that the Court now here as yet are not and so forth.

At which said first Monday in December, being the seventh day of the said month, in the year of our Lord one thousand eight hundred and thirty, come again into the Court of Appeals here, the parties aforesaid by their attornies aforesaid