Stinchcomb as designated upon the plat of the said division, returned by John Boulden surveyor and the said John Merryman executor of the said Samuel Merryman deceased and recorded among the Land records of Baltimore County Court in Liber WG. No 15 folio 409. the said parcel of land thus devised and divided, to and among the said devisees, being part of a tract of land called Chalsworth, and the same which was devised by George Lux to the said Samuel Merryman deceased, by deed bearing date on or about the thirteenth day of September one thousand seven hundred and eighty three and recorded among the Land records of Baltimore County Court in Liber WG No P. folio 245 &c. with the appurtenances, as the sum of thirty one dollars fifty seven cents and one third of a cent by the Court here adjudged unto the said John Doe Lessee as aforesaid on his assent for his costs and charges by him about his suit in this behalf laid out and expended, and that he have thereof his execution and so forth.

And thereupon the said Frederick Hammerman 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 to him it is granted. It is therefore ordered by the Court here that a transcript of the record and proceedings aforesaid, with all things thereunto relating, be transmitted to the said Court of Appeals and the same is transmitted accordingly.

Test. Wm Gibson Clk

In Testimony that the aforegoing is truly taken from the record of proceedings of Baltimore County Court. I have hereto subscribed my name and affixed the seal of said Court this fourth day of November in the year of our Lord one thousand eight hundred and thirty

(Seal) Wm Gibson Clk Balto Coty Ct

And now come into the Court of Appeals here as ordered the said Frederick Hammerman by John Purviance and Reverdy Johnson his attorneys as the said John Doe Lessee as aforesaid by Edward Shriver and Joseph D. Leaver his attorneys: and thereupon on motion of the said John Doe Lessee as aforesaid by his attorneys aforesaid it is ruled by the Court here, that the said Frederick Hammerman 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 or judgment by the Court of Appeals here will be entered against him in default thereof: And the said Frederick Hammerman by his attorneys 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 Doe Lessee as aforesaid against the said Frederick Hammerman when by the law of the land that judgment ought to have been given for the said Frederick Hammerman against the said John Doe 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 for nought, and that he, the said Frederick Hammerman may be restored to all things which he hath lost by occasion of the said judgment, and that the said John Doe 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 Doe Lessee as aforesaid join in the errors by the said Frederick Hammerman 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 Doe Lessee as aforesaid by his attorney aforesaid prays that a day may be given to him to join in the errors by the said Frederick Hammerman above assigned in the record of proceedings aforesaid until the second Monday in June next: and to him it is granted: the same day is also given to the said Frederick Hammerman.

At which said second Monday in June being the thirteenth day of the said month in the year of our Lord one thousand eight hundred and thirty one which said day was given to the said John Doe Lessee as aforesaid to join in the errors by the said Frederick Hammerman above assigned come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid. And the said John Doe Lessee as aforesaid by his attorneys aforesaid says 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 Frederick Hammerman 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 first Monday in December 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 first Monday in December being the fifth day of the said month in the year of our Lord one thousand eight hundred and thirty one come again into the Court of Appeals here the parties aforesaid by their attorneys 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 attorneys aforesaid, to come before the Court of Appeals here on the second Monday in June next, to hear the judgment of the Court of Appeals here