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.

And now at this day, to wit, the said first Monday in December being the first day of the said month, in the year of our Lord, one thousand, eight hundred and thirty four come again into the Court of Appeals here the parties aforesaid, by their attorneys aforesaid, and the said Gideon White by his attornies aforesaid, relinquishing the avernment aforesaid, above by him alleged, says he cannot deny the complaints aforesaid of the said George Barber. Therefore, it is considered by the Court of Appeals here, that the Decree aforesaid, in form aforesaid given, as in form aforesaid confessed, be in all things affirmed, and stands in full force and effect, and it is further considered by the Court of Appeals here, that, the said George Barber have execution against the said Gideon White as well for the sum, so as aforesaid, adjudged unto him in the said Court of Chancery as also for the sum of twenty eight Dollars and thirty four cents adjudged unto him by the Court of Appeals here, on his appeal for his costs and charges, which he had sustained by occasion of the delay of the execution of the Decree aforesaid, by pretext of the prosecution of the said appeals by the said Gideon White for the correcting of errors of and upon the premises as aforesaid, prosecuted, and so forth.

Memorandum. Decree was affirmed by consent in this case on the twelfth day of December, eighteen hundred and thirty four.

Test John Johnson, Clerk

Nathan Waters vs Charles Duvall	Be it remembered, that heretofore, to wit, on the twenty second day of September in the year of our Lord one thousand eight hundred and thirty four Nathan Waters by Thomas Duckett his attorney, prosecuted and sued forth out of the Court of Appeals here, a writ of the State of Maryland of Restitution to the Sheriff of Prince Georges County directed, in the words and figures following to wit: State of Maryland &c. The State of Maryland to the Sheriff of Prince Georges County greeting — Whereas at a County Court begun and held at Upper Marlborough Town, in and for Prince Georges County, on the first Monday in April, in the year of our Lord one thousand eight hundred and twenty nine, a certain Charles Duvall by the judgment of the said Court, was awarded the writ of the State of Maryland, in the nature of the writ of Habere facias possessionem, to place him the said Charles Duvall in possession of the following tracts or parts of tracts or parcels of land before that time purchased by the said Charles Duvall, at a sale made by the then Sheriff of the County aforesaid, as the property of a certain Nathan Waters, to wit, one tract of land called Pasture Enlarged, containing two hundred acres, one ditto Osborns Lot, and part of Pleasant Grove, containing fifty two

(Seal place)

acres, and part of Duvall's pasture containing one hundred and fifty acres, part of a tract called Okusbury, and part of Okusbury, and Walkers Delight, containing one hundred & fifty acres, and part of a tract of land called Friendship containing one hundred and eighty acres." And whereas the said Sheriff to whom the writ aforesaid, was in form aforesaid directed made return thereof to the said County Court, that he had delivered possession of the said tracts or parts of tracts or parcel of land to the said Charles, as by the said writ he was commanded. And whereas at a April Term of the said County Court in the year of our Lord one thousand eight hundred and thirty three, a certain Nathan Waters, who claim title to the said tracts or parts of tracts or parcels of land, moved the said Court, that the said writ of possession, and return thereto might be quashed, and that he the said Nathan Waters might be restored to the possession of the same, which motion was by the said County Court overruled, as appears by inspection of the record and proceedings thereof, which was lately caused to be brought before the Court of Appeals, at the City of Annapolis, for certain causes of error in the same to be corrected.

And whereas at a Court of Appeals, begun and held for the Western Shore of the State of Maryland, on the second Monday in June in the year of our Lord one thousand eight hundred and thirty four it was considered by the said Court, that for sundry errors in record of proceedings aforesaid, and also in the rendition of the judgment aforesaid found, that the same be reversed, annulled, and held entirely as void and that the aforesaid writ of Habere facias possessionem be quashed, and that the said Nathan Waters be restored to all things which he had lost by reason of the judgment aforesaid, and the execution of the aforesaid writ of Habere facias possessionem, It was also considered by the said Court of Appeals that the said Nathan Waters recover against the said Charles Duvall the sum of thirty seven dollars and ninety two cents, adjudged unto him upon the reversal of the said judgment, for his costs and charges by him put about his prosecution of the said appeal, and upon the premises. You are therefore commanded without delay to restore the said Nathan Waters to the full and ample possession of the said tracts, parts of tracts, or parcels of land, so as aforesaid called and described, and how you shall execute this Writ make appear to the said Court of Appeals to be held at the City of Annapolis on the first Monday of December next thereof fail not at your peril, and have you then and there this writ. Witness the Honorable John Buchanan Chief Judge of the said Court of Appeals the ninth day of June in the year of our Lord one thousand eight hundred and thirty four.

Issued September 22nd 1834 (Duckett) John Johnson, Clerk

And now at this day, to wit, the said first Monday in December being the first day of the said month, in the year of our Lord one thousand eight hundred and thirty four and the return day of the foregoing writ, comes into the Court of Appeals here the said Nathan Waters by his