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 forty seven 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 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, &c.

And now at this day, to wit, the said first Monday in December being the sixth day of the said month, in the year of our Lord one thousand eight hundred and forty seven come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid - Whereupon as well the record and proceedings aforesaid, and the judgment given in form aforesaid, as the matters aforesaid, by the said Eliza L. Gardiner above for error assigned, being seen, and by the Court of Appeals here fully understood, and mature deliberation thereupon had; for that it appears to the Court of Appeals here, that there is no error in the record of proceedings aforesaid, nor in the giving of the judgment aforesaid: Therefore it is considered by the Court of Appeals here, that the judgment aforesaid, given in form aforesaid, be in all things affirmed and stand in full force and effect, the said causes for error above assigned and alleged in anywise notwithstanding: And it is further considered by the Court of Appeals here, that the said Oscar Miles have execution against the said Eliza L. Gardiner as well for the costs and charges aforesaid, adjudged unto him in the said County Court of Saint Mary's County as also the sum of forty three dollars and fifty nine cents adjudged unto the said Oscar Miles, by the Court of Appeals here on his assent for his costs and charges which he had sustained by occasion of the delay of the execution of the judgment aforesaid, by pretext of the prosecution of the said appeal by the said Eliza L. Gardiner, for the correcting of errors of and upon the premises as aforesaid prosecuted, &c.

Exd

Test, Richard W. Gill, Clerk.-

Catharine Swope Elizabeth Swope and David H. Baughers Lessee.- vs. William Swope.-	Be it remembered, That now here on the second Monday in June being the eighth day of the said month, in the year of our Lord one thousand eight hundred and forty six the Chief Judge and Associate Judges of the fifth 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 Washington County between Richard Roe Lessee of Catharine Swope, Elizabeth Swope and David H. Baugher's plaintiff and William Swope defendant, and wherein the said County Court gave judgment for the said William Swope against the said Richard Roe Lessee as aforesaid and from which said judgment the said Richard Roe 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, Washington County, to wit:- At a County Court of the fifth

Judicial District of Maryland begun and held at the Court House, in Hagers town, in and for the County aforesaid, on the fourth Monday of March being the twenty third day of the same month, in the year of our Lord one thousand eight hundred and forty six.-

Were present - The Hon. Robert N. Martin, Esquire Chief Judge,
Thomas Buchanan, Esquire, and
Richard H. Marshall, Esquire Associate Judge

Thomas Martin, Esquire, Sheriff.- Isaac Nesbitt, Clerk.-

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

Catharine and Elizabeth Swope and David H. Baughn's Lessee.- vs. William Swope.-	Be it remembered, that heretofore to wit, on the twenty third day of September, in the year of our Lord one thousand eight hundred and forty five, Richard Roe Lessee of Catharine and Elizabeth Swope and David

H. Baughn, by Joseph I. Merrick, his attorney, declared in Court here against John Doe, in a plea of Trespass and Ejectment, with a notice thereto annexed, in manner and form following, to wit:

State of Maryland Washington County, Set. John Doe, late of Washington County yeoman, was attached to answer unto Richard Roe, in a plea wherefore, with force and arms, &c. at the County aforesaid he the said John entered into three undivided fourth parts of all that tract or parcel of plantable land, called "Colonel," lying and being in the County aforesaid, containing two hundred acres with the appurtenances, which Catharine Swope Elizabeth Swope and David H. Baughn to the said Richard demised for a term of years, which is not yet expired, and him the said Richard from his farm aforesaid ejected; and also, wherefore with force and arms, &c. at the County aforesaid, he entered into one undivided fourth part of all that tract or parcel of plantable land called "Colonel" lying and being in the County aforesaid containing two hundred acres, with the appurtenances with the appurtenances, which the said Catharine Swope to the said Richard demised for a term of years, which is not yet expired, and the said Richard from his farm aforesaid ejected - And also wherefore with force and arms, &c. at the County aforesaid, he entered into one other undivided fourth part of the said tract or parcel of plantable land called "Colonel," lying and being in the County aforesaid containing two hundred acres with the appurtenances, which the said Elizabeth Swope to the said Richard demised for a term of years, which is not yet expired, and him the said Richard from his farm aforesaid ejected - And also, wherefore with force and arms, &c. at the County aforesaid he entered into one other undivided fourth part of the said tract of plantable land called "Colonel," lying and being in the County aforesaid, containing two hundred acres with the appurtenances, which the said David H. Baughn to the said Richard demised for a term of years, which is not yet expired, and him the said Richard from his farm aforesaid ejected, and other harms to him the said Richard then and there did to the great damage of him the said Richard, and against the peace government and dignity of the State of Maryland, and so forth - And whereupon the said Richard by J. I. Merrick, and D. G. Yost, his attorneys complains that the said Catharine Swope Elizabeth