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No. 1. The defendants pray the Court to direct the Jury, that if they should find that the defendant Sarah became entitled to the reversion of the ground declared for, as stated in the testimony, and recovered possession and took and has, ever since held possession thereof, in the year eighteen hundred and twenty four, as shewn by the record of recovery given in evidence, and that this action was instituted on the 19th day of April 1841, then the plaintiff, is not entitled to recover.

All of which prayers of the plaintiffs were refused, and the prayer of the defendant was granted. To which various opinions of the Court, as well those refusing each and every of plaintiffs prayers and granting the defendants prayer, the plaintiff except, and pray the Court to sign and seal this bill of exceptions which is done this ____ day of ____ 1842.

R. B. Magruder, (L.S.)
John Sutherland, (L.S.)

And thereupon the said John Doe, lessee as aforesaid, by his attorneys 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 in the cause aforesaid, with all things thereunto relating be transmitted to the said Court of Appeals, and the same is transmitted accordingly.

Test, Thos. Kell, Clerk.

In Testimony that the aforegoing is a full and true transcript of the proceedings in the cause aforesaid, taken from the record of proceedings of Baltimore County Court. I have hereto subscribed my name, and affixed the seal of said Court on this tenth day of June, eighteen hundred and forty three.

(Seal) Thos. Kell, Clerk.

And now come into the Court of Appeals here, as well the said John Doe, Lessee of Margaret Walter, Ann Maria Walter, George H. Walter, Matilda Walter, Margaret Walter and Eliza Walter by John Glenn and George R. Richardson, his attorneys, as the said Ashton Alexander and Sarah Rogers Alexander by Alexander C. Magruder, Charles F. Mayer, and Jonathan Meredith their attorneys; and thereupon on motion of the said Ashton Alexander and Sarah Rogers Alexander by their attorneys aforesaid it is ruled by the Court here that the said John Doe, lessee as aforesaid assign the errors in the record of proceedings aforesaid or in the giving 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 John Doe lessee as aforesaid, 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 to wit: that by the record aforesaid, it appears that the judgment aforesaid in the plea aforesaid given was given for the said Ashton Alexander and Sarah Rogers Alexander, against the said John Doe, Lessee as aforesaid when, by the law of the land, that judgment ought to have been given for the said John Doe, lessee as aforesaid against the said Ashton Alexander and Sarah Rogers Alexander, 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

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reversed annulled, and held entirely as void; and that he the said John Doe lessee as aforesaid, may be restored to all things which he hath lost by occasion of the said Judgment, and that the said Ashton Alexander and Sarah Rogers Alexander may rejoin to the errors aforesaid and so forth. And thereupon it is ruled by the Court of Appeals here, that the said Ashton Alexander and Sarah Rogers Alexander join in errors by the said John Doe Lessee as aforesaid above assigned in the record of proceedings aforesaid or Judgment by the Court of Appeals here, will be rendered against them in default thereof: And the said Ashton Alexander and Sarah Rogers Alexander by their attorneys aforesaid, pray that a day may be given to them to join in the error by the said John Doe Lessee as aforesaid above assigned in the record of proceedings aforesaid until the second Monday in June next; and to them it is granted; the same day is also given to the said John Doe lessee as aforesaid.

At which said second Monday in June being the twelfth day of the said month in the year of our Lord one thousand eight hundred and forty three, which said day was given to the said Ashton Alexander and Sarah Rogers Alexander, to join in the errors by the said John Doe, Lessee as aforesaid above assigned, come again into the Court of Appeals the parties aforesaid by their attorneys aforesaid; and the said Ashton Alexander and Sarah Rogers Alexander by their attorneys aforesaid say, there is no error in the Record of proceedings aforesaid, nor in the giving of the Judgment aforesaid, and they pray 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 John Doe Lessee as aforesaid 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 fourth day of the said month in the year of our Lord one thousand eight hundred and forty three, 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 ~~Appeals~~ here on the second Monday in June 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. At which said second Monday in June, being the tenth day of the said month, in the year of our Lord one thousand eight hundred and forty four, come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid. But be-