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and eight hundred and fifty come again in 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 Richard Roe, lessee of Joseph Veresap 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 for any thing notwithstanding: And it is further considered by the Court of Appeals here, that the said Henry Hutton have execution against the said Joseph Veresap as well for the costs and charges aforesaid adjudged unto him in the said County Court of Allegany as also the sum of one hundred and twenty four Dollars and forty seven cents adjudged unto the said Henry Hutton, by the Court of Appeals here, on his assent for his costs and charges which he has sustained by occasion of the delay of the execution of the judgment aforesaid, by plea of the prosecution of the said appeal by the said Richard Roe Lessee of Joseph Veresap for the correcting of errors of and upon the premises as aforesaid prescribed, &c.

Test, Richard W. Gill, Clerk.

Isaac B. Cushwa
Ann E. Cushwa
Sarah Troup and
William Cushwa Exors
of Benjamin Cushwa
vs.
John S. Cushwa and
David Brewer and wife's
Lessee.

Be it remembered, That now here on the second Monday in June being the eleventh day of the said month, in the year of our Lord one thousand eight hundred and forty nine 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 John S. Cushwa David Brewer, and wife plaintiff, and Isaac B. Cushwa Ann E. Cushwa and others defendants, and wherein the said County Court gave judgment for the said Richard Roe Lessee as aforesaid, against the said Isaac B. Cushwa Ann E. Cushwa and others and from which said judgment the said Isaac B. Cushwa Ann E. Cushwa and others 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 the State of Maryland, begun and held at the Court House in Hagers Town in and for the County aforesaid, on the third Monday of November being the seventeenth day of the same month, in the year of our Lord one thousand eight hundred and forty six.

Were Present, The Honorable,

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Thomas Buchanan, Esquire and
Richard H. Marshall, Esquire } Associate Judges.
Thomas Martin, Esquire Sheriff.
Isaac Nesbitt Clerk.

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

John S. Cushwa
David Brewer and
wife's Lessee
vs.
Benjamin Cushwa.

Be it remembered, that heretofore, to wit, on the twelfth day of March, in the year of our Lord one thousand eight hundred and forty six Richard Roe, Lessee of John S. Cushwa David Brewer and Elizabeth Brewer by Joseph I. Merrick James D. Roman and Daniel Weisel his attorneys, declared in Court here against the said John Doe, in a plea of Trespass and Ejectment, with a notice thereto annexed, in form following to wit:

State of Maryland Washington County, &c.- 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 entered into those two undivided half parts of all those several tracts or parts of tracts or parcels of land, lying and being in the County aforesaid being parts of the tracts of land called Cushwa's Establishment "Stoney Ridge," "More Trouble Yet," and part of "Good Neighbor," containing four hundred and ninety eight acres of land, more or less; part of a tract called "Poverty Increased," containing sixty six acres of land more or less, and part of a tract called "Germany," containing three and three eights acres of land more or less; in all five hundred and sixty seven acres and three eights of an acre of land, more or less, being the same land, which was conveyed to John Cushwa, and his heirs and assigns in his life time, by Benjamin Cushwa by deed bearing date the fourteenth day of November, in the year one thousand eight hundred and twenty six, and recorded in Liber II. folios 90, 91, and 92, one of the Land Record Books of said County, as by reference thereto will more fully and particularly appear, and which said land with the appurtenances John S. Cushwa and David Brewer and Elizabeth Brewer his wife (to which said John S. Cushwa and Elizabeth, children and heirs at law of said John Cushwa, deceased, the said land had descended) had demised to the said Richard Roe, 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 moiety, the whole into two parts to be divided, of the said several tracts or parts of tracts of land, called and described as aforesaid and lying and being in said County, containing five hundred and sixty seven and three eights acres of land, more or less, with the appurtenances which the said John S. Cushwa to the said Richard demised for a term of years which is not yet expired and him the said Richard from his farm