and charges by him about his defence of the Appeal aforesaid in this behalf laid out and expended &c. Memorandum. Judgment Reversed the 12th June 1820. and Execution awarded for $13.45½ Costs in County Court & $13.08½ Costs in Court of Appeals.

Attest

James Parrott Clk

Mary D Stevens vs David Richardson

584

Be it remembered that now here on the first Monday in June being the fourth day of the same month, in the year of our Lord One thousand eight hundred and twenty one, the Chief Judge and Associate Judges of the fourth Judicial District in pursuance of the directions of the Act of Assembly in such cases 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 Worcester, between Mary D Stevens plaintiff, and David Richardson, defendant, and wherein the said County Court gave judgment for the said David Richardson against the said Mary D. Stevens, and from which said Judgment the said Mary D Stevens appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following, to wit

Worcester County ss At a County Court of the fourth Judicial District of the State of Maryland, begun and held at Snow Hill Town in and for the County aforesaid on the second Monday of May being the fourteenth day of the same month in the year of our Lord one thousand eight hundred and twenty one. Present

The Honourable William Bateman Esquire Chief Judge - James B. Robins & William Whittington Esquires Associate Judges - James Purnell Esquire Shff - John C Handy Clk

In the record of proceedings of the said Court amongst others were the following to wit

Mary D Stevens vs David Richardson

Be it remembered that heretofore, to wit, on the thirteenth day of May in the year of our Lord One thousand eight hundred and sixteen Mary D Stevens by Ephraim K Wilson her Attorney presented and sued forth out of the County Court here the writ of the State of Maryland of Summons in Dower, against the said David Richardson directed to the Sheriff of Worcester County in form following, to wit. Worcester County ss The State of Maryland to the Sheriff of Worcester County Greeting: Command David Richardson, late of Worcester County, yeoman, that justly and without delay he render unto Mary D Stevens Wilson who was the wife of John Stevens late of Worcester County deceased, the third part of the Freehold in the following tract or parcel of land to wit, Defiance Enlarged, which was of the said John Stevens formerly her husband, in the possession of the said David Richardson, with the appurtenances in Worcester County aforesaid, as the Dower of the said Mary D Stevens, of the Endowment of the said John Stevens her late husband whereof she hath nothing as she says, and whereof she complains that the said David Richardson unjustly deforces her or otherwise that he the said David Richardson be and appear before the said County Court of Worcester, at a Court by them to be held at Snow Hill Town on the second Monday of May instant, to shew cause why he should not render the same to her Hereof fail not at your peril and have you then & there this writ. Witness (the Honble) The Honourable William B. Martin Esquire Chief Judge of our said Court the thirteenth day of November in the year of our Lord Eighteen hundred and fifteen - Issued this thirteenth day of May in the year of our Lord 1816 (Seal) Test Handy Clk

At which said second Monday of May in the year of our Lord one thousand eight hundred and sixteen, and the return day of the said aforegoing writ, comes here into the County Court the said Mary D Stevens by Ephraim K Wilson her Attorney aforesaid and the Sheriff of the County to whom the said aforegoing writ was directed makes no return to the Court here of the said writ, nor hath he done any thing thereon. Nevertheless the said David Richardson voluntarily appears in Court here by Ara Spence his Attorney and defends the force and injury when &c. And the said Mary D Stevens by her said Attorney declares against the said David Richardson in the plea aforesaid as follows that is to say. Worcester County ss David Richardson late of Worcester County yeoman was summoned to answer unto Mary D Stevens Wilson, who was the wife of John Stevens deceased in a plea that he render unto the said Mary her reasonable Dower which belongs to her of the Freehold lands and tenements which were of the said John formerly her husband lying and being in the County of Worcester aforesaid whereof she hath nothing as she says, and whereof she complains that the said David — in — unjustly deforces her &c. And whereupon the said Mary by Ephraim K Wilson her Attorney demands against the said David the third part of a tract of land called Defiance enlarged lying and being in Worcester County aforesaid with the appurtenances as the Dower of her the said Mary of the Endowment of the said John heretofore her husband whereof she hath nothing and which the said David unjustly detains from her to the damage of Five hundred dollars current money, and therefore she brings suit. E K Wilson for Dem. Stevens. Plaintiff's Pledges

And the said David Richardson by his said Attorney defends the force and injury when &c. and prays leave of the Court here to imparle until the second Monday of November next, and hereto it, the same day is given to the said Mary D Stevens then &c. At which said second Monday of November in the year of our Lord one thousand eight hundred and sixteen comes again into the County Court here as well the said Mary D Stevens by her Attorney aforesaid as the said David Richardson by his Attorney aforesaid, and the said David Richardson by his said Attorney as before defends the force and injury when &c. and prays leave of the Court here further to imparle until the second Monday of May next, and then to answer the Declaration aforesaid of the said Mary D Stevens in the plea aforesaid and hereto it, the same day is given to the said Mary D Stevens then and there &c. At which said second Monday of May in the year of our Lord one thousand eight hundred and seventeen, to which said day the said David Richardson had leave to imparle and then to answer the Declaration aforesaid of the said Mary D Stevens in the plea aforesaid comes as well the said Mary D Stevens as the said David Richardson by their Attorneys aforesaid; thereupon the parties aforesaid by their Attorneys aforesaid file in Court here the following statement of facts for the opinion of the Court here, to wit.

Mary D Stevens vs David Richardson

Dower. In this case it is agreed that a certain George Richardson died about the year 1802, seized of certain Lands and Mills in Worcester County the lands mentioned in plaintiffs Declaration, without making a Will or disposing of the same, and leaving the following children, Betsey herein after named, David, Esau, Samuel, Molly and Nancy, That a Petition was filed in Worcester County Court at May Term 1809. for the division of said lands under the Act entitled an Act to direct Descents, and the several Supplements thereto; that Commissioners were appointed by said Court on said Petition who made their return on the Commission at said Term 1809, that said Lands & Mills would not admit of division which Return was confirmed by the said Court at November Term following that John Stevens intermarried with Betsey one of the Daughters of said George Richardson who was the eldest child entitled to take at the valuation, that the said John Stevens, his said wife being in full life came into said Court, and elected in right of his