June Term 1840

That the said Decree founded in the said proceedings in Chancery has ever since remained, and now remains in full force and effect, not reversed or otherwise vacated, or altered;
That said Elizabeth Creswell, widow died in 1834 & said John Creswell the younger, Continued in the exclusive adversary possession of said lands and premises, Claimed in this suit, till his death in 1831 always Claiming to be the fee simple owner thereof, & by his will lawfully made and proved, devised the same to Rebecca E. Creswell, the defendand and her heirs, who accordingly entered into the like possession thereof and has been in the possession of them ever since claiming to hold them in fee simple.—
That said Thomas Johnson removed from the State of Maryland before the death of his mother Anne and Continued and remained out of this State ever afterwards.
That said Thomas Johnson died in the year 1835 & the Plaintiff lessor, John Johnson, is his eldest son, & heir at law;
That in April 1832 the said John Johnson the Plaintiff Lessor, petitioned for the benefit of the laws of Maryland enacted for the relief of Insolvent debtors and on the 16th day of April, 1832 in Compliance with the provisions of said Laws made the following deed to Albert Constable, Esquire,

This Indenture made this sixteenth day of April in the year Eighteen hundred and thirty two between John Johnson of Harford County in the State of Maryland
33 of the one part and Albert Constable of the same County and State of the other part, Whereas on the application of said John Johnson to John N. Stump Esquire one of the Judges of the Orphans Court of Harford County for the benefit of the several acts assembly for the relief of Insolvent debtors, the said John N. Stump Esquire as one of the Judges of the said Orphans Court on the sixteenth day of April in the year aforesaid appointed the above named Albert Constable Trustee for the benefit of the Creditors of said John Johnson and did order and direct that the said John Johnson should execute a deed to the said Trustee of all his property estate and effects and should deliver the same to the Trustee together with the books papers accounts bonds notes and evidences of debt agreably to the provisions of the act of assembly in such cases made and provided. Now this Indenture Witnesseth that the said Johnson in pursuance of the premises and in Consideration of one dollar current money to be paid by the said Albert Constable hath granted bargained and sold, released, assigned Conveyed transferred and set over and by these presents doth freely and absolutely grant bargain and sell, release Convey assign transfer and set over unto the said Albert Constable his heirs and assigns all and every the household goods and furniture effects and Chattels debts and and sum and sums of money belonging to and due or owing to him the said John Johnson as are in the Schedule of the said John Johnson particularly mentioned and also all other the property and Estate real and personal and mixed of what kind quality or nature soever (excepting the wearing apparel, bed and beddings of the said John Johnson has or claims any title to or is in any respect entitled to in possession
34 remainder or reversion — To Have and To Hold the same and every part and parcel thereof unto him the said Albert Constable his heirs Executors and assigns forever in trust for the Creditors of the said John Johnson and their use and benefit agreably to the acts of assembly for the relief of Insolvent debtors and the supplements thereto — In Witness Whereof the said John Johnson hath hereunto set his hand and affixed his seal the day and year first above and before mentioned.
Signed sealed and delivered in presence of
Thomas H. Bond John C. Norris

John Johnson (Seal)

June Term 1840

Maryland Harford County to wit - On this sixteenth day of April Eighteen hundred and Thirty two personally appeared before us two of the Justices of the Peace for the County in the State aforesaid John Johnson and the above and aforegoing instrument of writing to be his act and deed acknowledged

Certified by and acknowledged before Thos. N. Bond

John C. Norris

Received and Recorded the twenty sixth day of April Eighteen hundred and Thirty two and Examined by

Henry Dorsey Clk.

Maryland Harford County Set. - I hereby certify that the within and aforegoing is truly transcribed from Liber H. D. No. 15 folio 58 one of the Land Record Books of Harford County Court. In Testimony whereof I hereto subscribe my name and affix the seal of Harford County Court this 2nd day of March 1838.

Seal place

Henry Dorsey Clk of Harford Coty Ct.

It is agreed that if upon the foregoing statement of facts the Court shall be of opinion that the Plaintiff is entitled to recover, Judgment be entered for him, and if of a Contrary
35 opinion, then Judgment to be entered for Defendants: each party reserving the right to appeal to the Court of Appeals

March 31, 1838

Otho Scott for Plff
R. Johnson
John V. Lloyd } for Defendants

It is further agreed that the Court enter Judgment pro forma for the defendants for the defendants on the above statement.

Elkton 31 March 1838

R. Johnson for defendants

Johnson Lessee
vs
Creswell & others

Ejectment, Cecil County Court
April Term 1838

Mr. Swale — In Copying into the Record in this Case for the Court of Appeals, the statement of facts upon which the Judgment is to be rendered write Copy but once any paper referred to in said Statement —

8 April 1838

Otho Scott atty for Plff.
R. Johnson Defts atty

Memorandum - Judgment pro forma for Defendant upon Case stated, was entered in this Case on the third day of April in the year Eighteen hundred and thirty eight.

Test James Sewall Clk.

And thereupon the said Richard Roe lessee as aforesaid by his attorney aforesaid prays an appeal from the Judgment aforesaid so as aforesaid rendered to the high Court of Appeals of the State of Maryland to be held for the Eastern Shore of the said State and the same is granted him; it is therefore ordered by the Court here that the record and proceedings aforesaid with all things thereunto relating, be transmitted to the said High Court of Appeals of the said State to be held as aforesaid; and the same are transmitted to the same Court accordingly

Test James Sewall Clk.

Maryland, Cecil County Set.

I hereby Certify that the aforegoing is truly taken and made from the Record of the proceedings of Cecil County Court and the papers filed in the Cause, In Testimony whereof I have hereunto subscribed my name and the seal of Cecil County Court affixed this 23rd day of April Anno Domini One thousand Eight hundred and thirty eight.

James Sewall Clk.