S. Mitchell by his attorney aforesaid says, there is no error in the record of proceedings aforesaid, nor in the giving of the judgment aforesaid, and he prays 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 Sarah E. Mitchell's Lessee above for error assigned, and that the said judgment may be in all things affirmed, and so forth.

But because the Court of Appeals here are not advised what judgment to give of and upon the premises, day therefore is given to the parties aforesaid, before the Court of Appeals here, until 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 thereof are not advised, and so forth.

And now at this day, to wit, the said first Monday in December being the first day of the said month in the year of our Lord one thousand eight hundred and fifty the 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 Sarah E. Mitchell's Lessee above for error assigned, being seen, and by the Court of Appeals here fully understood, and mature deliberation thereupon had, for that it appear 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 Henry S. Mitchell have execution against the said Sarah E. Mitchell as well for the costs and charges aforesaid adjudged unto him in the said County Court of Charles County as also the sum of sixty two dollars and fifty four cents adjudged unto the said Henry S. Mitchell, by the Court of Appeals here, on his arrest for his costs and charges which he sustained by occasion of the delay of the execution of the judgment aforesaid, by pretext of the prosecution of the said by the said Sarah E. Mitchell's Lessee for the correcting of errors of and upon the premises as aforesaid prosecuted, &c.

Test, William A. Spencer, Clerk.

James Key's Lessee
vs.
Thomas A. Davis

Be it remembered, That now here on the first Monday in December being the second day of the said month, in the year of our Lord one thousand eight hundred and fifty the Chief Judge and Associate Judges of the first 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 Charles County between James Key, Lessee plaintiff, and Thomas A. Davis defendant, and wherein the said County Court gave judgment for the said Thomas A. Davis against the said James Key's Lessee and from which said judgment the said James Key's Lessee, appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following, to wit.

Charles County to wit:

At a County Court of the first Judicial District of the State of Maryland begun and held at Port Tobacco in and for Charles County aforesaid on the third Monday of July being the fifteenth day of the same

month in the year of our Lord one thousand eight hundred and fifty, and the seventy fifth year of the Independence of the United States of America.

Were Present, The Honorable Alexander B. Magruder, Chief Judge,
Edmund Key
Peter W. Crain } Associate Judges.

John R. Robertson, Esquire sheriff. Richard H. Mitchell, Clerk.

In the record of proceedings of the same Court among others were the following to wit:

James Key's Lessee
vs.
Thomas A. Davis.

Be it remembered that heretofore to wit, on the fourteenth day of August in the year of our Lord one thousand eight hundred and forty Richard Roe, Lessee of James Key by William B. Stone his attorney declared in Charles County Court here against John Doe, in a plea of trespass and ejectment with a notice thereunto annexed in form following to wit:

"Charles County to wit: John Doe late of Charles 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 all those three several tracts or parcels of plantable land, called "Betty's Delight" St. Nicholas round hills and Chandlers Hills lying and being in the County aforesaid containing five hundred acres, with the appurtenances, which James Key demised to the said Richard, for a term of years which is not yet expired, and ejected him from his said farm, and other wrongs to the said Richard, did there to the great damage of the said Richard, and against the peace government and dignity of the State &c. and whereupon the said Richard by W. B. Stone his attorney complains, that the said James Key heretofore to wit; On the first day of January in the year of our Lord eighteen hundred and forty, at the County aforesaid had demised to the said Richard "nine undivided tenth parts of all those said three several tracts or parcels of plantable land, called "Betty's Delight" St. Nicholas round Hills and Chandlers Hills lying and being in the County aforesaid containing five hundred acres with the appurtenances, to have and to hold the same to the said Richard and his assigns from the thirtieth day of December in the year of our Lord eighteen hundred and thirty nine then past, for and during and unto the full end and term of fifteen years from thence next ensuing and fully to be complete and ended by virtue of which said demise, the said Richard entered into the said nine undivided tenth parts of the three said several Tracts or parcels of plantable land called Betty's Delight" St. Nicholas Round Hills," and Chandlers Hills with the appurtenances and was possessed thereof, and being so possessed thereof the said John afterwards to wit, on the said day and year first aforesaid with force and arms, that is to say with sticks and staves at the County aforesaid, entered into the said nine undivided tenth parts of the said three several tracts or parcels of plantable land called "Betty's Delight" St. Nicholas Round Hills" and "Chandlers Hills with the appurtenances which the said James Key had demised to the said Richard in manner aforesaid for the term aforesaid which is not yet expired and ejected the said Richard from his said nine undivided tenth parts of the said three several tracts or parcels of land called "Betty's Delight" St. Nicholas Round Hills" and "Chandlers Hills and other wrongs to the said Richard then and there did to the great damage of the said Richard and against the peace government and dignity of the State &c.

Wherefore the said Richard saith he is injured and hath sustained