in such case made and provided. Taken and certified before us.

Jno. McIlhenny,
Benjamin Yost,

Washington County, Set: I hereby certify that the foregoing is truly taken from Liber I. I. folios 90, 91, & 92, one of the Land Records of said County, in which it was recorded on the 24th day of Novr. 1826.

Seal — In Testimony whereof I hereunto subscribe my name and affix the seal of the Circuit Court for said County, this 11th day of February 1854.

Isaac Nesbitt, Clk.

And on the thirteenth day of May eighteen hundred and fifty four was filed the following paper to wit:

Isaac B. Cushwa
Ann E. Cushwa and
others.
vs.
John S. Cushwa and
David Brewer and wife.

In the Court of Appeals, December Term 1853. No. 162.

To Wm. A. Spencer, Esqr. Clerk of the Court of Appeals — You are hereby directed to enter a remittitur on the record of the sum of five hundred dollars damages which appears by the record to have been found by the Jury for the plaintiffs in this case, and enter the damages at one cent: the said amount of damages being a misprision of the Clerk.

Wm. Price,
Attorney for the Appellees

May 11th, 1854.

Whereupon as well the record and proceedings aforesaid, and the judgment given in form aforesaid, as the matters aforesaid, by the said Isaac B. Cushwa Ann E. Cushwa and Sarah Troup heirs at Law and William Cushwa Exr. of Benjamin Cushwa 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 in anywise notwithstanding. And it is further considered by the Court of Appeals here, that the said John S. Cushwa, and David Brewer and wife's Lessee have execution against the said Isaac B. Cushwa Ann E. Cushwa and Sarah Troup, heirs at Law and William Cushwa Exr. of Benjamin Cushwa, as well for the damages costs and charges aforesaid, adjudged unto John S. Cushwa, and David Brewer and wife's Lessee in the said Circuit Court of Washington County as also the sum of ninety six dollars seventy six and two third cents adjudged unto the said John S. Cushwa and David Brewer and wife's Lessee, by the Court of Appeals here, on their assent for their costs and charges which they sustained by occasion of the delay of the execution of the judgment aforesaid, by pretext of the prosecution of the said appeal by the said Isaac B. Cushwa, Ann E. Cushwa and Sarah Troup heirs at Law, and William Cushwa Exr. of Benjamin Cushwa for the correcting of errors of and upon the premises as aforesaid, prosecuted, &c.

Test, William A. Spencer, Clk.

James Glenn, and others,
vs.
Caleb W. Spry.

Be it remembered, That now here on the first Monday in December, being the sixth day of the said month, in the year of our Lord one thousand eight hundred and fifty two, the Judge of the Seventh Judicial Circuit 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 him in the Circuit Court of Kent County between James Glenn and Alethia Glenn his wife, Joshua Shipley and Elizabeth Shipley his wife, Mary Foster Michael Barnstable and Martha Barnstable his wife plaintiffs and Caleb W. Spry defendant, and wherein the said Circuit Court gave judgment for the said Caleb W. Spry against the said James Glenn and Alethia Glenn his wife Joshua Shipley and Elizabeth Shipley his wife, Mary Foster Michael Barnstable and Martha Barnstable his wife and from which said judgment the said James Glenn and Alethia Glenn his wife, Joshua Shipley and Elizabeth Shipley his wife, Mary Foster, Michael Barnstable, and Martha Barnstable his wife, appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following to wit:

The State of Maryland Kent County to wit:

At a Circuit Court for Kent County of the seventh Judicial Circuit of the State of Maryland begun and held at the Court House in and for the County aforesaid, on the third Monday of October Anno Domini eighteen hundred and fifty two.

Present — The Hon'ble Philemon B. Hopper, Judge,
Charles S. Busby, Esquire Sheriff — Jas. Spilby Gordon, Clk.

Among other were the following proceedings to wit:

James Glenn and Alethia Glenn his wife, Joshua Shipley and Elizabeth Shipley his wife, Mary Foster Michael Barnstable and Martha Barnstable his wife appear in Court here by James B. Ricaud and B. Chambers Wickes, Esquire their attornies, and Caleb W. Spry, by George Vickers and Ezekiel F. Chambers, Esquires his attornies also appear in Court here. Thereupon the parties aforesaid by their attornies aforesaid file in Court here the following statement of facts to wit:

James Glenn and Alethia Glenn his wife, Joshua Shipley and Elizabeth Shipley his wife Mary Foster, Michael Barnstable and Martha Barnstable his wife.
vs.
Caleb W. Spry.

Ejectment — In the Circuit Court for Kent County — Octo. Term 1852.

It is admitted in this cause that a certain James Milward the elder departed this life seized in fee of the lands in the declaration mentioned having first made and executed his last Will and testament in manner following and that the said lands were duly patented to him under whom he claimed.

In the name of God Amen. I James Milward of Kent County and State of Maryland being very sick and weak of body but of sound and disposing mind and memory do make and constitute this my last Will and Testament in the form and manner following: and principally and first of all I commit my Soul unto the hands of Almighty God hoping for pardon for all my sins for the sake of Jesus Christ, and my body do I commit to the ground to be buried at the direction of my executors hereinafter mentioned. Imprimis I give Will and bequeath unto my son Charles Milward all the land I now possess with an equal part of the bedding with my daughters hereafter mentioned. Item I order and my will is that my son Charles Milward shall give or pay or cause to be given and paid unto my son James Milward or his guardian one hundred and twenty dollars for the boarding schooling and clothing and other exigences and that my son Charles Milward shall retain