December Term 1854.

fifty four. William H. Worthington, Clerk of the Circuit Court for
In the Circuit Court for Howard County, March Term 1854.

James G. Hardy or
Demise of,
Charles H. Hardy
Thomas Hardy
William Hardy
James Hardy and
George Hardy and of
Evan D. Hammond and
Ormond Hammond
vs
Adam C. Warner.

Ejectment &c. 1854, March 27th Verdict for
Damages assessed to one cent Judgt. Bill of exceptions
appeal granted to Court of Appeals of the State of Maryland

Plffs costs - Atty	$33.37	Defendants costs	
Clk	9.80	Atty	$3.33⅓
Late shff	.75	Clk	.45
shff	5.01	Transcript	22.50
shff. Shedk. Lev	.78		$26.28⅓
Crier	1.10		
Tax	.50		
Witnesses	34.00		
	$55.97½		

Test, Wm. H. Worthington, Clk.

And now come into the Court of Appeals here, as well the said John Doe Tenant of Adam C. Warner by Robert J. Brent and William H. G. Dorsey Esquires their attorneys as the said Charles H. Hardy, Thomas Hardy, William Hardy, James Hardy and others Lessee by Thomas Donaldson John T. B. Dorsey and Richard J. Merrick, Esquires their attorneys; and thereupon, on motion of the said Charles H. Hardy, Thomas Hardy, Wm. Hardy James Hardy and others Lessee by their attorneys aforesaid it is ruled by the Court here, that the said John Doe Tenant of Adam C. Warner assign the errors in the record of proceedings aforesaid, or in the giving the judgment aforesaid, so as aforesaid brought before the Court of Appeals here, for correcting the errors supposed to be therein, or judgment by the Court of Appeals here, will be entered against them in default thereof: and the said John Doe Tenant of Adam C. Warner by their attorneys aforesaid, says, that in the record of proceedings aforesaid, and also in the giving of judgment aforesaid, there is manifest error, in this, to wit, that by the record aforesaid, it appears that the judgment aforesaid, in the plea aforesaid given, was given for the said Charles H. Hardy Thomas Hardy William Hardy James Hardy and others Lessee against the said John Doe Tenant of Adam C. Warner when by the law of the land, that judgment ought to have been given for the said John Doe Tenant of Adam C. Warner against the said Charles H. Hardy Thomas Hardy William Hardy James Hardy and others Lessee therefore in that there is manifest error, and they pray that the judgment aforesaid for that error and others being in the record of proceedings aforesaid, may be reversed, annulled, and held entirely as void, and that he the said John Doe Tenant of Adam C. Warner may be restored to all things which they have lost by occasion of the said judgment, and that the said Charles H. Hardy Thomas Hardy William Hardy James Hardy and others Lessee may rejoin to the errors aforesaid, and so forth. And thereupon it is ruled by the Court of Appeals here, that the said Charles H. Hardy Thomas Hardy William Hardy James Hardy and others Lessee join in the errors by the said John Doe Tenant of Adam C. Warner above assigned in the record of proceedings aforesaid or judgment by the Court of Appeals here, will be rendered against them in default thereof. And the said Charles H. Hardy Thomas Hardy William Hardy James Hardy and others Lessee by their attorneys aforesaid, says, there is no error in the record of proceedings aforesaid, nor in the giving of the judgment aforesaid, and they pray 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 John Doe Tenant of Adam C. Warner above for error assigned, and that the said judgment may be in all things affirmed, and so forth.

And now at this day, to wit, the said first Monday in December being the fourth day of the said month, in the year of our Lord one thousand, eight hundred and fifty four come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid. Whereupon all the record and proceedings aforesaid, and the judgment given in form aforesaid, as the matters aforesaid, by the said John Doe, Tenant of Adam C. Warner 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 Charles H. Hardy Thomas Hardy, William Hardy James Hardy and others Lessee have execution against the said John Doe Tenant of Adam C. Warner as well for the Damages costs and charges aforesaid adjudged unto them in the said Circuit Court of Howard County as also the sum of one hundred and one dollars eighty one and two third cents adjudged unto the said Charles H. Hardy, Thomas Hardy, William Hardy, James Hardy and others 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 John Doe, Tenant of Adam C. Warner for the correcting of errors of and upon the premises as aforesaid, prosecuted, &c.

Test, William A. Spencer, Clerk.

(Continued in Liber W. A. S. No. 2 folio 13)

Recorded by. Thos. S. Laithes. 1855