June Term 1855

E. B. Hintze assignee of Peter K. Blumb have execution against the said Jane Thomas administratrix de bonis non of Henry Peters assignee of Margaret Moore as well for the damages costs and charges aforesaid adjudged unto Jane Thomas administratrix de bonis non of Henry Peters assignee of Margaret Moore in the said County Court of Baltimore County as also the sum of forty seven dollars eighty eight and two third cents adjudged unto the said Frederick E. B. Hintze assignee of Peter K. Blumb, 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 Frederick E. B. Hintze assignee of Peter K. Blumb for the correcting of errors of and upon the premises as aforesaid, prosecuted, &c.

Test, William A. Spencer, Clerk.

Judicials June Term 1855.

Sarah E. Mitchell, Lessee
vs.
Henry S. Mitchell.

Be it remembered, That heretofore, to wit, on the twenty fourth day of April in the year of our Lord, one thousand, eight hundred and fifty five Sarah E. Mitchell by Robert J. Brent, her attorney, prosecuted and sued forth out of the Court of Appeals here, a writ of the State of Maryland, of Habeas Facias possessionem and Fi. Fa. to the sheriff of Charles County directed, in the words and figures following, to wit:

Maryland, Sct: The State of Maryland, To the Sheriff of Charles County Greeting:

(Seal) Whereas at a Circuit Court begun and held at Port Tobacco in and for Charles County on the third Monday of July in the year of our Lord one thousand eight hundred and fifty three a certain John Doe Lessee of a certain Sarah E. Mitchell by the judgment of the said Court recovered against a certain Henry S. Mitchell his term yet to come and unexpired of in and to all that Tract of land called Myrtle Grove lying and being in Charles County aforesaid which the said Sarah E. Mitchell on the first day of May in the year eighteen hundred and forty six had demised to the said John Doe for a term of years which is not yet expired, to be held from the thirteenth day of April in the year aforesaid until the full end and term of Twenty years from thence next ensuing and fully to be complete and ended as also the sum of one cent for his damages which he had sustained as well by reason of the trespass and ejectment committed by the said Henry S. Mitchell as the sum of Forty nine dollars and sixty cents for his costs and charges by him about his suit in that behalf laid out and expended whereof the said Henry S. Mitchell is convict as by inspecting the record of proceedings of the same Court brought before the Court of Appeals for the State of Maryland at the City of Annapolis by Error of errors alleged to have been therein manifestly appears - And Whereas it hath been adjudged in the said Court of Appeals at the City of Annapolis on the first Monday of December in the year of our Lord one thousand eight hundred and fifty four that the said Judgment given in form aforesaid be in all things affirmed and ratified that the said John Doe Lessee as aforesaid might have his possession of his term aforesaid yet to come and unexpired of and into all that tract of land called Myrtle Grove and appurtenances aforesaid and also execution against the said Henry S. Mitchell for as well the damages costs and charges aforesaid as adjudged unto him in the said Circuit Court as also for the sum of ninety four dollars and sixty one cents current money for his costs and charges by him sustained by reason of delaying the execution of the judgment aforesaid by means of the prosecuting a certain appeal by the said Henry S. Mitchell before the Court of Appeals for the correcting of errors of and upon the premises whereof the said Henry S. Mitchell is convict as of record it like wise appeareth. Therefore you are hereby commanded that without delay you cause the said John Doe Lessee of the said Sarah E. Mitchell to have his possession of his term aforesaid, yet to come of and in the Land and premises aforesaid with the appurtenances

and in what manner you shall execute this writ make appear to the said Court of Appeals to be held at the said City of Annapolis on the first Monday in June next.

You are also hereby commanded that of the goods and chattels lands and tenements of the said Henry S. Mitchell being in your bailiwick you cause to be made the damages costs, and charges aforesaid and have you those sums of money before the said Court of Appeals of Maryland to be held at the City of Annapolis on the first Monday in June next and have you then and there this writ. Witness the Honorable John E. LeGrand Chief Justice of the Court of Appeals of Maryland the fourth day of December in the year of our Lord one thousand eight hundred and fifty four. Issued April 24th 1855.

(Brent)

Wm. A. Spencer, Clerk Ct. of Appeals of Md.

Which said writ of Habere Facias possessionem and Fi. Fa. was thereon endorsed as follows, to wit:

Damages one cent - Circuit Court costs forty nine dollars and sixty cents - Court of Appeals costs ninety four dollars sixty one cents - Additional costs ninety eight cents - County add'l costs if Land be sold under this writ - nine dollars and twenty five cents -

And now at this day, to wit, the said first Monday in June being the fourth day of the said month, in the year of our Lord, one thousand, eight hundred and fifty five and the return day of the foregoing writ, comes into the Court of Appeals here the said Sarah E. Mitchell by Robert J. Brent her attorney aforesaid; And the Sheriff of Charles County aforesaid, to whom the said writ was in form aforesaid directed, to wit: J. R. Hunttt, Esquire gentleman, makes return thereof to the Court here, thus endorsed, to wit: possession of the premises named within delivered by me in obedience to the mandate of the within writ to the agent of Sarah E. Mitchell on Monday the 21st of May 1855 and amt. of costs to wit $145.20/100 made and paid over to pltffs. Attorney as by receipt herewith returned -

J. R. Hunttt, Shff of Charles County -

Received June 5th 1855 from Mr. Jos R. Hunttt, Shff $145.20/100 in full of the amount of costs mentioned in the within fi fa.

R. J. Brent, Atty. for plaintiff -

Test, William A. Spencer, Clerk -

(Continued from Liber W.A.S. No. 1 folio 572) December Term 1854.

Robert Douglass,
vs
Wm. M. Blackford -

Be it remembered, That now here on the first Monday in June being the fifth day of the said month, in the year of our Lord one thousand eight hundred and fifty four the Judge of the Fourth 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 Washington County between Robert Douglass plaintiff, and William M. Blackford defendant, and wherein the said Circuit Court gave judgment for the said William M. Blackford against the said Robert Douglass and from which said judgment the said Robert Douglass appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following, to wit:

State of Maryland, Washington County, to wit:

At a Circuit Court of the Fourth Judicial Court of the State of Maryland, begun and held at Hagerstown, in and for the County aforesaid, on the fourth Monday of November, being the twenty eighth day of the same month, in the year of our Lord one thousand eight hundred and fifty three. -