whereas in the Second Court of Anne Arundel County between Ann Jenyns Lessee of Jenys W Mulliken Defendant in which case aforesaid Second Court rendered Judgment against the said Ann Jenyns from which Judgment so rendered the said Ann Jenyns appealed unto the said Court of Appeals and the said Court of Appeals having duly examined the Record and proceedings aforesaid in said process at the City of Annapolis on the 1st Monday in December Last did reverse the Judgment aforesaid by the said Second Court rendered there being manifest error in the rendition of the Judgment Whereupon the said Court of Appeals pursuant to the Statute Law and ancient and usual course of the acts of Assembly in such case made and provided, and upon the general principles of the Common Law and the power and authority of the said Court of Appeals did order and direct a remission of a transcript of the Record and proceedings in the cause aforesaid to the Clerk of the Second Court for Anne Arundel County aforesaid Therefore you are duly commanded that such proceedings be had in the said cause that according unto right and Justice and the Laws of the State and agreeably to the Judgment of the said Court of Appeals ought to be had any thing in the Record of proceedings aforesaid contained to the contrary notwithstanding. Witness the Honorable John C Legrand Chief Judge of the Court of Appeals the 1st day of December in the year of our Lord 1858.

Issued 11 day of July 1859 W A Spencer Clk

At which Meeting on Thursday of October being the 24 day of the same Month in the year of our Lord 1859 came into the Second Court here as well the said John Doe Lessee as formerly by his Attorneys aforesaid as the said Jenys W Mulliken by his Attorneys aforesaid And the said Jenys W Mulliken by his Attorneys aforesaid files in Court here the following affidavit.

Ann Jenyns Lessee
Jenys W Mulliken } Second Court for Anne Arundel County
October Term 1859.

On this 25 day of October 1859 personally appears in open Court Jenys W Mulliken the defendant in the cause and makes oath on the Holy Evangely of God that he cannot with safety to himself proceed to the trial of this cause at present on account of the absence of Mrs Mary John Mullen and Miss Anna Hanson material and expected Witnesses by whom he expects to prove that after the death of Miss Eleanor Stevenson the land in Anne Arundel County aforesaid called Hockley Hold Farm was for many years rented only by the Heirs of John Hanson and the rent for the whole of such Land was paid to said Heirs during said time and further that after the death of said Miss Stevenson the Lessor of the plaintiff Miss Ann Jenyns for a valuable consideration to her paid by said heirs of John Hanson assigned and transferred all the title or interest which she had or was supposed to have under the Will of Benjamin Hanson deceased and abandoned in their favor as deponent verily believes and further makes oath that said Witnesses reside in Montgomery and Harford County and other places in Virginia out of the limits of this State of Maryland that he has used due diligence to obtain their testimony and to expect to be able to procure their attendance or their testimony under a Commission

to be taken at the next Term of this Court.
Sworn to in Open Court W W Green Clk
25 Oct 1859.

Which being read and heard further process of and upon the premises aforesaid between the parties aforesaid by Order of the Court here is continued until the 3 Thursday of April Next.

And on the day to wit the 3d Thursday of April being the 16 day of the same Month in the year of our Lord 1860 came again into the Second Court here as well the said John Doe Lessee as aforesaid by Thomas S Alexander Wm H G Digges and Brantley H Hall his Counsel learned in the Law as the said Jenys W Mulliken by Alexander Randall Theodore W Hood W Meade Addison and Thomas Hall Keys his Attorneys And thereupon for trying the issues aforesaid it is ordered by the Court here that twenty persons from the panel of petit Jurors be drawn by Lot and written upon two Slips each of which said Slips is delivered to the Counsel of the respective parties and the Counsel for the respective parties having struck off four persons from the said Slips there remain the twelve Jurors whose names are written on the Slip of Paper first drawn out of the Box to wit. William H Baldwin Thos Dorsey Edmund Norris Jr Samuel R Richardson John C Sadler John W Iglehart Horace Sydney Daniel Clark Samuel C Dorsey Elijah Shipley Richard H Dorsey and Joseph Cecil who being empannelled and sworn to say the truth on the premises upon their oath do say that the said Jenys W Mulliken is not guilty of the trespass aforesaid as the aforesaid Jenys W Mulliken above complaining hath alleged. Thereupon it is considered by the Court here that the said John Doe Lessee as aforesaid do recover against the said Jenys W Mulliken his Term aforesaid in the Declaration mentioned yet to come and unexpired and his Damages by the Jurors aforesaid assessed to Sixty Dollars and fifty Cents and also his costs and charges by him laid out and expended in and about his suit in this behalf sustained to be taxed by the said Court here adjudged &c and that the said Jenys W Mulliken may take execution therefor &c

Memorandum Before the Jurors aforesaid came into the Bar of the Court here the said John Doe Lessee as aforesaid by his Attorneys aforesaid files in Court here the following Bill of Exceptions to wit.

Anna Jenyns Lessee
Jenys W Mulliken } Second Court for Anne Arundel County. June Term 1860.
Bill of Exceptions

At the trial of this cause the plaintiff to maintain the issue joined on his part produced John T Nelson a Competent Witness who being duly sworn stated that he knew Benjamin Harrison late of Anne Arundel County deceased, and that he departed this life in the year 1834 at the said County and he