December Term 1862

were and did be never did again enter said Land claiming his tenancy in Chestnut Meadows. The defendants therupon in Fistrell Pillen that in 1849 and 1850 believed adjoining the Land in dispute and that the owners and occupiers of the Land under whom the defendant claims were in the habit of cutting wood on the tract of Land in dispute and that he never knew of the plaintiffs or their tenants cutting on said land. The Plaintiff by their Counsel thereupon prayed the Court to give the following instructions to the Jury.

1st That if they believe from the evidence that the Grum which Edward Polls died in the year 1821 at the time of the seizure by the sheriff did not extend so far South as to include the place in which the alleged trespass was committed, then the defendant cannot be held to the place in which the trespass was committed under the deed from Sheriff Pillen to Solomon Wright which instrument the Court refused to give to which refusal the Plaintiffs by their Counsel excepted and prayed the Court to sign and seal this second Bill of Exceptions which is accordingly done this 19 day of May 1859.

Richd P Carmichael (Seal)

Wright and others
vs
Owen

In addition to the matters stated in the 1st Exceptions the defendant offered to prove by Jas W Thompson the County Surveyor that he had platted the lines of the second parcel of land mentioned in the deed from Sheriff J Roberts to John C Vannort and also the lines in the deed from Solomon Wright to Ann Hall and proved that they were severally enclosed for form a field of land and that the land included land not by any thousand reach the Beginning

The plaintiffs by their Counsel thereupon prayed the Court to instruct the jury that the deed from Sheriff Roberts to John C Vannort conveyed no other Land than the lines given in said deed were enclosed, which instruction the Court refused to give to which refusal the plaintiffs by their Counsel excepted and prayed the Court to sign and seal this third Bill of Exceptions which is accordingly done this 19 day of May 1859.

Richd P Carmichael (Seal)

And thereupon the said Henry C Wright and Charlotte A Wright his wife and William I Wright by their Attorney aforesaid prays an appeal from the judgment aforesaid to a superior court to the Court of Appeals of the State of Maryland and thereupon the said Henry C Wright and Charlotte A Wright his wife and William I Wright by their Attorney aforesaid filed in Court a certain writing obligatory commonly called an appeal Bond in the following words & viz

Know all men by these presents that we Henry C Wright Thos B Thomas Lemuel Roberts Charles Wright of Queen Anns County Maryland are held and firmly bound unto Jehiel Owen in the full and just sum of Ten thousand dollars to be paid to the said Jehiel Owen his certain Attorney his Executors administrators or assigns to which payment well and truly to be made and done

December Term 1862

to which payment well and truly to be made and done we bind ourselves our Heirs Executors and administrators firmly by these presents sealed with our seals and dated this 10 day of May 1859

Whereas the said Jehiel Owen did obtain judgment against Henry C Wright and Charlotte A Wright his wife and William I Wright at the May Term 1849 of Queen Anns County for his costs and charges suit and expended in a suit wherein Henry C Wright and Charlotte A Wright his wife and William I Wright were Plaintiffs and the said Jehiel Owen was defendant from which judgment the said Henry C Wright and Charlotte A Wright his wife and William I Wright have prayed an appeal to the Court of Appeals sitting at Annapolis in the State of Maryland. Now the Condition of the above obligation is such that if the said Henry C Wright and Charlotte A Wright his wife and William I Wright shall not cause a transcript of the record and proceedings of the said Circuit Court for Queen Anns County to be transmitted to the Court of Appeals to be holden at Annapolis within the time required by law and prosecute the said appeal with effect and abide by and pay to the said Jehiel Owen his Executors administrators or assigns in case the judgment shall be affirmed or said the damages and costs adjudged in the Circuit Court for Queen Anns County aforesaid as also all damages and costs that may be awarded by the Court of Appeals aforesaid then the said Bond to be void remain in full force and virtue in law.

Signed sealed and delivered in presence of
T B Thomas

Henry C Wright (Seal)
T B Thomas (Seal)
Lem Roberts (Seal)
Charles Wright (Seal)

Which being read and heard and the securities on said Bond being by the Court here approved it is therupon ordered by the said Court here that the record and proceedings aforesaid in the cause with all things thereunto relating be transmitted to the said Court of Appeals and the same is transmitted to the Court accordingly.

Test Madeleine Thomas Clk

Maryland Queen Anns County sc I hereby certify that the foregoing is a true copy from the record of proceedings of the Circuit Court for Queen Anns County.

In testimony whereof I have hereunto set my name and affixed my official seal this 2 day of May in the year 1859.

(Seal)

Madeleine Thomas Clk of the Circuit Court Queen Anns County

And now come here into the Court of Appeals here as now to wit Henry C Wright et al by W I Bruce Esquire their Attorney as the said Jehiel Owen by John M Robinson Esquire his Attorney and thereupon on motion of the said Jehiel Owen by his Attorney aforesaid it is ordered by the Court here that the said Henry C Wright and others assign the errors of the record of