Robert Douglass
vs
The President, Managers and Company of the Boonsboro Turnpike Road Company

Be it Remembered, That now here, on the First Monday in June being the sixth day of the said month, in the year of our Lord one thousand eight hundred and fifty nine, 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 for Washington County, between Robert Douglass plaintiff and The President, Managers, and Company of the Boonsboro Turnpike Road Company defendant and wherein the said Circuit Court gave judgment for the said Boonsborough Turnpike Road Company 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 Circuit 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 second day of the same Month, in the year of our Lord one thousand eight hundred and fifty-eight.

Were Present.

The Hon Thomas Perry, Judge of said Court;
John M. Hauck, Esquire, Sheriff
Isaac Nesbitt, Clerk

In the Record and Proceedings of the same Court, amongst others is the following, to wit:

Robert Douglass
vs
The President, Managers & Company of the Boonsboro Turnpike Road Company

Be it remembered, that heretofore to wit, on the seventh day of August, in the year of our Lord, one thousand eight hundred and fifty seven, the said Robert Douglass, by Richard H. Alvey, Esquire, his Attorney, prosecuted and sued forth out of the said Circuit Court here, the Writ of the State of Maryland, of Summons, to the Sheriff of Washington County directed, in the words and of the tenor following, to wit:

Washington County, to wit: The State of Maryland, to the Sheriff of Washington County, Greeting: You are hereby commanded to summon The President, Managers and Company of the Boonsboro Turnpike Road Company, of Washington County, to appear before the Circuit Court for Washington County, to be held at the Court House, in Hagerstown, in and for said County, on

the twenty third day of November next, to answer an action at the suit of Robert Douglass. And have you then and there this Writ. Witness, the Hon. Thomas Perry, Judge of the said Court, the 7th day of August, in the year 1857.

Isaac Nesbitt, Clk.

At which said twenty third day of November, being in the year of our Lord, one thousand eight hundred and fifty seven, and the return day of the foregoing Writ comes into Court here, as well the plaintiff by his Attorney aforesaid, as the Sheriff of Washington County aforesaid, to wit, Benjamin A. Gardinger, Esquire, to whom said Writ was in manner and form aforesaid delivered, and makes return thereof to the Court here, thus endorsed, to wit:

"Summoned. President & Three Directors. B. A. Gardinger Shff."

And the said defendants being called, appear in Court here, by George Schley, Esquire, their Attorney, And thereupon on motion of the said defendants, by their Attorney aforesaid, it is ordered by the Court here, that the said plaintiff declare against them the said defendants, in the plea aforesaid, or judgment of the Court here will be rendered against him, the said plaintiff, by default.

And thereupon, all further proceedings in the premises aforesaid, between the parties aforesaid, by order of Court here, in conformity with the Act of Assembly, are continued until the First Monday of March next.

At which said First Monday of March, being the first day of the same month, in the year of our Lord one thousand eight hundred and fifty eight, comes again into Court here, the said plaintiff, by Richard H. Alvey aforesaid, and James H. Grove, his Attorneys, and the said defendants by their Attorney aforesaid.

And the said plaintiff, by R. H. Alvey, Esquire, his Attorney files in Court here his amended Declaration, as follows, to wit:

In the Circuit Court for Washington County, Washington County, Robert Douglass, by R. H. Alvey, his Attorney, sues The President, Managers and Company of the Boonsboro Turnpike Road Company for.

1st That the defendants broke and entered certain land of the plaintiff, called "Moreland" in Washington County, and cut down and carried away the timber and other trees thereon growing & being, that is to say five hundred Oak trees, five hundred hickory trees, one hundred chestnut trees, one hundred Gum trees, one hundred walnut trees and divers other trees; and cut and dug up the soil of the said land, and dug up to and under the fences of the said plaintiff on the said land and