Benjamin Vancrossen Guyer & James Guyer's Lessee
vs
George Smith and Israel Thompson

Be it Remembered, That now here, on the first Monday in December being the first day of the said month, in the year of our Lord one thousand eight hundred & sixty two 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 Allegany County, between Benjamin Vancrossen Guyer and James Guyer's Lessee plaintiff and George Smith & Israel Thompson defendants and wherein the said Circuit Court gave judgment for the said George Smith and Israel Thompson against the said Benjamin Vancrossen Guyer & James Guyer's Lessee and from which said judgment the said Benjamin Vancrossen Guyer and James Guyer's Lessee appealed to the Court of Appeals here, the tenor of which said Record of Proceedings is in form following, to wit:

The State of Maryland }
Allegany County } Ss:

At a Circuit Court of the Fourth Judicial Circuit of Maryland, composed of the Counties of Washington and Allegany, begun and held at the Court House in the City of Cumberland, in and for Allegany County, on the second Monday of October, being the thirteenth day of the same month, in the year of our Lord eighteen hundred & sixty two, were

Present.

The Honorable Daniel Weisel, Judge,
Thomas G. McCulloh, Esquire, Sheriff and
Horace Resley Clerk

At which said Court among others were the following proceedings to wit:

Benjamin Vancrossen Guyer and James Guyer's Lessee
vs
George Smith & Israel Thompson

No 23 Trials, October Term 1862.

Be it remembered that heretofore to wit, on the first day of October, in the year one thousand eight hundred and sixty eight, John Doe, lessee of Benjamin Vancrossen Guyer and James Guyer, by Thomas J. McKaig and William H. McKaig his attorneys declared in the Circuit Court for Allegany County here against George Smith and Israel Thompson in a plea of trespass and ejectment, with a notice thereto



annexed in manner and form following, to wit:

State of Maryland, Allegany County, to wit

In the Circuit Court for Allegany County

Richard Roe, late of Allegany County was attached to answer unto John Doe in a plea wherefore with force and arms &c, at the County aforesaid, he entered into all that tract or parcel of plantable land called Lot number eight hundred and seventy six lying and being in Allegany County aforesaid, containing fifty acres, with the appurtenances, which Benjamin Vancrossen Guyer and James Guyer demised to the said John for a term of years which is not yet expired and ejected him from his said farm and other wrongs to the said John there did, to the great damage of the said John and against the peace, government and dignity of the said State &c.

And whereupon the said John by William H. McKaig his attorney complains that the said Benjamin Van Crossen Guyer and James Guyer heretofore to wit, on the first day of January in the year of our Lord, one thousand eight hundred and fifty three at Allegany County aforesaid had demised unto the said John all that the said tract or parcel of plantable land called Lot number eight hundred and seventy six, lying and being in the County aforesaid, containing fifty acres with the appurtenances, to have and to hold the same to the said John and his assigns from the thirty first day of December then last past, for and during and until the full end and term of fifteen years, from thence next ensuing and fully to be complete and ended, by virtue of which said demise the said John entered into the said tract or parcel of plantable land, with the appurtenances and was so possessed thereof and being so possessed thereof, the said Richard afterwards to wit, on the said first day of January eighteen hundred and fifty three, aforesaid with force and arms, that is to say, with swords, staves and knives, at the County aforesaid entered into the said tract or parcel of plantable land with the appurtenances, which the said Benjamin Vancrossen Guyer and James Guyer had demised to the said John in manner aforesaid for the term aforesaid, which is not yet expired and ejected the said John from his said farm and other wrongs to the said John then and there did, to the damage of the said John against the peace government and dignity of the State &c

Wherefore the said John sayth he is injured and hath sustained damage to the value of five hundred dollars and therefore he brings his suit &c

Thomas J. McKaig & W. H. McKaig
Attys for Plaintiff.

Sir: I am informed that you are in possession of or claim title to the premises in this declaration mentioned or to some part thereof