October Term, 1880.

State of Maryland, Sct:

At a Court of Appeals of the State of Maryland, begun and held for the said State at the City of Annapolis, on the first Monday in October, being the fourth day of said month, in the year Eighteen hundred and Eighty, and of the Independence of the United States of America, the One hundred and fifth.

The Honorable James L. Bartol,	Chief Judge.
" " Lewis T. H. Irving,	
" " John M. Robinson,	
" " Richard Grason,	
" " Richard H. Alvey,	
" " Oliver Miller,	
" " Richard D. Bowie,	
" " George Brent.	

Spencer C. Jones, Clerk.

Among other were the following Proceedings, to wit:

George H. Berry vs. John Derwart and Elizabeth Derwart	Be it Remembered, That now here, on the first Monday in April, being the fifth day of said month, in the year of our Lord, One thousand Eight hundred and eighty, the Judges of the Third 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 them in the Circuit Court for Baltimore County between George H. Berry, Plaintiff and John Derwart and Elizabeth Derwart Defendants, and wherein the said Circuit Court gave judgment for the said John Derwart and Elizabeth Derwart against the said George H. Berry and from which said judgment the said George H. Berry appealed to the Court of Appeals here, the tenor of which said Record of Proceedings is in words following, to wit: