April Term 1883.

Oliver Miller (Seal)
E. Hammond (Seal)

State of Maryland,
Howard County, Set:

I hereby certify that the aforegoing is truly taken from the Record of Proceedings of the Circuit Court for Howard County in the above entitled case.

In testimony whereof I hereto set my hand and affix the seal of the Circuit Court for Howard County this 29th day of November A.d, 1882.

(Seal's Place)

I. J. Watkins
Clerk, Circuit Court for Howard County.

And now come into the Court of Appeals here, as well the said John Cook Mobberly by Messrs Jos. Mactubin, Jas. McSherry and Fred. J. Nelson his Attorneys, as the said Eldred W. Mobberly by Messrs C. W. Ross, Alex Hill, H. C. Wootton & Wm. H. Maulsby his Attorneys and thereupon, on motion of the said Eldred W. Mobberly by his Attorneys aforesaid, it is ruled by the Court here, that the said John Cook Mobberly assign the errors in the Record of Proceedings aforesaid, or in the giving the judgment aforesaid, so as aforesaid brought before the Court of Appeals here for correcting the errors supposed to be therein, or judgment by the Court of Appeals here, will be entered against him in default thereof; and the said John Cook Mobberly by his Attorneys aforesaid, says that in the Record of Proceedings aforesaid, and also in the giving of judgment aforesaid, there is manifest error in this, to wit: that by the Record aforesaid, it appears that the judgment aforesaid, in the plea

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aforesaid given, was given for the said Eldred W. Mobberly against the said John Cook Mobberly when, by the law of the land, that judgment ought to have been given for the said John Cook Mobberly against the said Eldred W. Mobberly therefore, in that there is manifest error, and he prays that the judgment aforesaid, for that error and others, being in the Record of Proceedings aforesaid, may be reversed, annulled, and held entirely as void, and that he the said John Cook Mobberly may be restored to all things which he hath lost by occasion of the said judgment and that the said Eldred W. Mobberly may reply to the errors aforesaid, and so forth; and thereupon it is ruled by the Court of Appeals here, that the said Eldred W. Mobberly join in the errors by the said John Cook Mobberly above assigned in the Record of Proceedings, or judgment by the Court of Appeals here, will be rendered against him in default thereof; and the said Eldred W. Mobberly by his Attorneys aforesaid, says there is no error in the Record of Proceedings aforesaid, nor in the giving of the judgment aforesaid, and he prays that the Court of Appeals here will proceed to the examination as well of the Record of Proceedings aforesaid, as of the matters aforesaid, by the said John Cook Mobberly above for error assigned, and that the said judgment may be in all things affirmed, and so forth; thereupon further process of and upon the premises, between the parties aforesaid is, by virtue of an Act of Assembly in such cases made and provided, continued before the Court of Appeals here, until the first Monday in April next; the same day is given to the said parties, there, then to hear the judgment of the Court of Appeals here, of and upon the said premises, and so forth.

And now at this day, to wit, the said first Monday in October,