the said William H. H. Friend against the said Joseph H. Friend and others and from which said judgment the said Joseph H. Friend and others appeales to the Court of Appeals here, the tenor of which said Record of Proceedings is in form following, to wit:

In the Circuit Court for Garrett County
State of Maryland,
Garrett County, to wit:
May Term 1885.

Were present the Hon A. K. Syester and H. H. Hoffman, Associate Judges; Moses R. Hamill, Esq., Sheriff; and W. H. Tower, Clerk.

1884, April 14th Summons being issued and returned summoned."

Joseph H. Friend, John F. Friend, David H. Friend, Elijah Friend, Richard Friend, Zadok Friend, Alfred Friend, and Salmon P. C. Friend, who are plaintiffs
vs.
William H. H. Friend.

The State of Maryland,
Garrett County, to wit:

The plaintiffs in this cause by their attorneys Josiah H. Gordon and Robert H. Gordon, sue William H. H. Friend for that the said defendant on the twentieth day of April, in the year of our Lord eighteen hundred and eighty-one, and on divers other days since and after the said twentieth day of April, and before the bringing of this suit with force and arms at the county aforesaid entered

into and upon a certain tract or parcel of land lying in said county and known by the name of "Kensington," of which said tract the plaintiffs were then seized and possessed and which is described in a deed executed by Rebecca Frantz, John W. Frantz, S. Virginia Frantz, Thomas Perry Frantz, George Frantz, Lavinia W. Frantz, Samuel Hoff and Julia A. Hoff, and thereby conveyed to Elijah Friend, bearing date the sixth day of October, in the year eighteen hundred and sixty-six, and then and there at the times aforesaid cut down, carried away and appropriated to his own use large quantities of the timber trees that were then standing and growing upon said land, and broke down and injured a large number of other trees then upon said land; and for that the said defendant in manner aforesaid and at the divers times aforesaid with carts, wagons and other vehicles entered upon and drove over said land and hauled into and deposited upon said land large quantities of stones and other materials to the great damage of the said plaintiffs by means whereof they have been greatly injured and damaged; and therefore they bring this suit and claim one thousand dollars damages.

J. H. Gordon and R. H. Gordon,
For Plffs.

And the said defendant by his attorneys, Richard T. Semmes, Thomas J. Peddicord and T. A. Thayer saith that he is not guilty of the trespass complained of by the plaintiffs aforesaid, and takes defense according to his pretensions, as they shall appear to be laid down on the return of a warrant of resurvey to be issued in this cause, and thereupon files his affidavit for a warrant of resurvey. And a warrant of resurvey was issued in due form on the 1st day of December, 1884.