and unto all that tract or parcel of Plantable land called Frog Range lying and being in Anne Arundel county aforesaid containing acres with the appurtenances. Therefore it is considered by the court here that the said John Dunn Lessee as aforesaid recover against the said Rachel Shipley his term aforesaid yet to come and unexpired of in and unto all that tract or parcel of Plantable land called Frog Range lying and being in Anne Arundel County aforesaid containing acres with the appurtenances, and that the said John Dunn lessee as aforesaid have thereof his possession against the said Rachel Shipley: and it is also considered by the court here that the said John Dunn lessee as aforesaid recover against the said Rachel Shipley the quantity of One thousand and twenty three pounds of Tobacco by the court here unto him on his assent adjudged for his costs and charges by him about his suit in this behalf laid out and expended: and the said Rachel Shipley in mercy and so forth.

Memorandum. Judgment rendered in this cause on the twenty fourth day of October in the year of our lord One thousand eight hundred and five for possession and costs of suit and the Plaintiff agrees to stay execution until the first day of January One thousand eight hundred and Six.

Test, John Gwinn Clk.

Afterwards to wit, On the twenty eighth day of January in the year of our lord One thousand eight hundred and six the said Rachel Shipley by her attornies aforesaid produced the writ of the State of Maryland for the correcting of errors of and upon the Judgment aforesaid; in the words, and of the tenor following to wit:

Maryland ss. The State of Maryland to the Honorable the Judges of the court of Appeals Greeting. Because in the Record and process and also in the rendering of Judgment on a certain action of ejectment brought by William Alexander in the late General court against Rachel Shipley for the possession of a tract of land called Frog Range lying and being in Anne Arundel County and costs of suit at a General court held before the judges of the late General court at October term last manifest error as it is said hath happened to the great damage of the said Rachel Shipley as of her complaint we have received: and we being willing that the errors, if any there be should be duly corrected and full and speedy Justice done to the said Rachel Shipley in this behalf command you that if Judgment be thereof rendered that then the record and process aforesaid with all things thereunto relating under your seals distinctly and openly you send and this writ so that the same may be had before you the judges of our high court of Appeals at Annapolis on the third Monday of June next, that the Record and process aforesaid being inspected into we may further do therein for correcting that error which of Right and according to the laws and customs of this state may be done. Witness the honorable William Pitts chancellor this 27th day of January 1806. Test. Samuel Harvey Howard Reg. Cur. Can.

In pursuance whereof and according to the form and effect of the act of Assembly in such case made and provided a transcript of the Record of Proceedings of the Judgment aforesaid and all things thereunto relating with the writ of error aforesaid was transmitted to the said court of Appeals. Test. John Gwinn Clerk late General Court.

58 sides



Ezekiel Boreings Lessee
against
Christian Singery

Be it Remembered that heretofore to wit on the fourth day of April in the year of our lord One thousand eight hundred and three the clerk of the Appeals by directions of the said court of Appeals in pursuance of the act of Assembly in such case made and Provided Returned to the clerk of the General court here a transcript of the Record of Proceedings with the writ of the State of Maryland of Procedendo to the Judges of the General court here directed on a certain appeal made by a certain Christian Singery from a judgment in the general court here rendered in an action of a plea of trespass and ejectment in the General court here impetrated by a certain John Goodtitle lessee of the said Ezekiel Boreing against the said Christian Singery and wherein the General court here rendered Judgment for the said John Goodtitle lessee of the said Ezekiel Boreings against the said Christian Singery and which said Judgment the said court of appeals did reverse annul and held entirely as void which said writ of Procedendo and transcript of the Record of proceedings are in the words and of the tenor following to wit:

The State of Maryland ss. To the honorable the Judges of the General court Greeting: Whereas the court of Appeals being certified of the Record and proceedings in a certain plea of Trespass and ejectment which was before you in our General court for the Western Shore between Ezekiel Boreings lessee Plaintiff and Christian Singery Defendant on which said plea you Rendered judgment against the said Christian Singery from which judgment so rendered the aforesaid Christian Singery appealed unto us in our high court of Appeals and we having duly examined the Record and Proceedings aforesaid in the premises aforesaid at the City of Annapolis on the second Monday of November last did reverse the Judgment aforesaid by you rendered as stated in the first Bill of exception in the Record and proceedings aforesaid certified and therefore there is manifest error in the Rendition of that Judgment wherefore for the causes aforesaid appearing to the said court of Appeals and agreeably to the act of Assembly in such case made and Provided the plea aforesaid with the Record and proceedings therein certified unto you they Remit that in that plea with that speed which of right and according to law you may proceed therein in the same manner as if no trial had taken place or any appeal had been prosecuted any thing in the Record and proceedings aforesaid heretofore certified to the contrary notwithstanding. Witness the honorable Benjamin Rumsey Esquire Chief Judge of our said High court of Appeals this twentieth day of November eighteen hundred and two. Issued the 13th December 1802.

Burton Whitcroft clerk court of Appeals.

The State of Maryland ss.

At a High court of appeals begun and held at the City of Annapolis on the second Monday of November being the eighth day of the same month in the year of our lord One thousand eight hundred and two: and in the twenty seventh year of the Independence of the United States of America