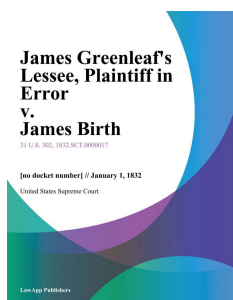


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JAMES GREENLEAF S LESSEE PLAINTIFF IN ERROR V JAMES BIRTH EBOOKS 2019



Author: United States Supreme Court

Realese Date: Expected @@expectedReleaseDate@@

This is writ of error to the circuit court of the district of Columbia. The original action was an ejection, brought in May 1818, by the plaintiff in error, against the defendant in error, for a certain lot of ground, number 17, square 75, in the city of Washington, and was founded upon demises. Upon the trial (which was at December term 1829), a verdict was found for the defendant, upon which he had judgment. Two bills of exceptions were taken at the trial on behalf of the plaintiff; and the questions for the consideration of this court grow out of the matter of those exceptions. The first bill of exceptions states, that at the trial a title to the premises in controversy was deduced from the state of Maryland, by mesne conveyances to James Greenleaf, the lessor of the plaintiff, in September 1794. Whereupon the defendant, to show a title out of the plaintiff, gave in evidence to the jury a deed from Greenleaf to Robert Morris and John Nicholson, dated the 13th of May 1796, the due execution of which was admitted, and offered no other evidence. Whereupon the plaintiff's counsel prayed the court to instruct the jury, that the said deed, unaccompanied by any other evidence, did not show such an outstanding title as was sufficient to bar the plaintiff's recovery in the suit; which instruction the court refused to give; to which refusal the plaintiff's counsel excepted. And the question before this court is, whether this exception is well founded.

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