Hanna by their attorney aforesaid say that in the record and proceedings aforesaid and also in giving the judgment aforesaid there is manifest error in this to Wit that by the record aforesaid it appears that the judgment aforesaid in the plea aforesaid given was given for the said Walter Jenkins surviving partner as aforesaid against the said Neilson and Hanna when by the Law of the Land that judgment ought to have been given for the said Neilson and Hanna against the said Walter Jenkins therefore in that there is manifest Error and they pray 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 they the said Neilson and Hanna may be restored to all things which they have lost by occasion of the said judgment and that the said Walter Jenkins may rejoin to the Errors aforesaid and so forth and thereupon it is ruled by the Court of Appeals here that the said Walter Jenkins join in the Errors by the said Neilson and Hanna above assigned in the record of proceedings aforesaid or judgment by the Court of Appeals here will be rendered against him in default thereof and the said Walter Jenkins by his attorney aforesaid prays that a day may be given to him to join in the Errors by the said Neilson and Hanna above assigned in the record of proceedings aforesaid until the third Monday in June next and to him it is granted. the same day is also given to the said Neilson and Hanna At which said third Monday in June being the eighteenth day of the said month in the year of our Lord one thousand eight hundred and ten which day was given to the said Walter Jenkins to join in the Errors by the said Neilson and Hanna above assigned come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid and the said Walter Jenkins by his attorney 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 Neilson and Hanna above for Error assigned and that the said judgment may be in all things affirmed and so forth But Because the Court of Appeals here are not advised what judgment to give of and upon the premises day therefore is given to the

parties aforesaid before the Court of Appeals here until the third Monday in December next to hear the judgment of the Court of Appeals here of and upon the premises for that the Court of Appeals now here thereof are not advised and so forth And now at this day to Wit the said third Monday in December being the seventeenth day of the said month in the year of our Lord one thousand eight hundred and Ten come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid and the said Walter Jenkins by his attorney aforesaid offers himself against the said Neilson and Hanna of and upon the premises and prays that the Court of Appeals here will proceed to the Examination as well of the record of proceedings aforesaid as of the matters above for Error assigned and that the said judgment may be in all things affirmed and so forth and for as much as the said Neilson and Hanna do not allege to the Court of Appeals here any matter or thing for the reversal of the judgment aforesaid now in suit upon the matters aforesaid by them above for Error assigned Therefore it is Considered by the Court of Appeals here that the judgment aforesaid in form aforesaid given be in all things affirmed and stand in full force and effect the said causes above for Error assigned in any wise notwithstanding and it is further considered by the Court of Appeals here that the said Walter Jenkins have Execution against the said Thomas Neilson and John Hanna as well for the damages costs and charges aforesaid so as aforesaid adjudged unto him in the said County Court of Baltimore as also for the sum of Twenty seven dollars and Eighty cents adjudged unto him by the Court of Appeals here for his additional damages as also for the sum of Ten dollars and fifteen cents also adjudged on his absent for his costs and charges which he hath sustained by occasion of the delay of the Execution of the judgment aforesaid by pretext of the prosecution of the said appeal by the said Thomas Neilson and John Hanna for the correcting of Errors of and upon the premises as aforesaid prosecuted and so forth Memorandum Judgment was affirmed nisi in this case and made absolute on the eighteenth day of december 1810 and Execution awarded for the sum of three hundred and ninety seven dollars and Twenty eight cents Current money damages the sum of fifteen dollars and sixty five cents costs in the County Court and the further sum of Twenty seven dollars and eighty cents additional damages assessed in the Court of Appeals and the sum of Ten dollars and fifteen cents costs adjudged in the said Court of Appeals

Test — R. Harris Jun. Clk.