At which said third monday in December being the eighteenth day of the said month in the year of our Lord one thousand eight hundred & nine come again into the Court of appeals here the parties aforesaid by their attornies aforesaid; But because the Court here are not yet advised what Judgment to give of and upon the premises, a day therefor is further given to the parties aforesaid with the consent of the said parties by their attornies aforesaid before the court here until the third monday in June next to hear their Judgment of and upon the premises for that the court here thereof are not as yet advised &c

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 & ten come again into the court of Appeals here the parties aforesaid by their attornies aforesaid; But because the Court here are not yet advised what Judgment to give of and upon the premises aforesaid, a day is therefor further given to the parties aforesaid with the consent of the said parties by their attornies aforesaid before the court here until the third monday in December next to hear their Judgment of and upon the premises aforesaid, for that the court here are not thereof as yet advised &c.

At which 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; But because the court here are not yet advised to give their Judgment of and upon the premises, day therefor is further given to the parties aforesaid with the consent of the said parties by their attornies aforesaid before the court here until the third in June next, to hear their Judgment of and upon the premises, for the court now here thereof are not yet advised and so forth.

And now at this towit, the said third monday in June being the the seventeenth day of the said month in the year of our Lord one thousand eight hundred and eleven, come again into the court of appeals here the parties aforesaid by their respective attornies aforesaid, whereupon as well the record of proceedings aforesaid and the Judgment given in form aforesaid, as the matters aforesaid by the said John Peter devisee as aforesaid above for errors assigned being seen and fully understood by the court here and mature deliberation thereupon had, for it appears to the court here that there is no error either in the record of proceedings aforesaid or in the giving Judgment aforesaid. Therefore it is considered by the court here that the Judgment aforesaid in form aforesaid given, be in all things affirmed and stand in full and effect, the several matters above for errors assigned in any wise notwithstanding. — And it is further considered by the court here that the said Richard Tenn lessee as aforesaid have his possession of his term yet to come and

and unexpired of and in the land & premises aft. and have execution against the said John Peter devisee as aforesaid, as well for his damages costs and charges aforesaid so as aforesaid adjudged unto him in the said County Court of Frederick as also the sum of forty five dollars and eighty six cents adjudged unto him by the court here on his assent for his costs and charges which he hath sustained and expended by reason of the delay of execution of the Judgment aforesaid on pretence of the prosecution of the said writ of the said state of Maryland by the said John Peter devisee as aforesaid for the correcting of errors of and upon the premises and so forth.

Memorandum Judgment was affirmed by the court in this cause on the on both the bills of exceptions on the 29th June 1811. —

And at the argument and decision of the case the honourable John Buchanan Esquire Judge withdrew from the bench.

Test Th. Harris, Junr Clk.

Edward Hazel Exor of Philip Nicholls vs. Jacob Dieus one of the Heirs of Philip Nicholls	Be it remembered that now here on the third monday in December being the twenty first day of the said month in the year of our Lord one thousand eight hundred and seven the Justices of the orphans Court of Prince George County in pursuance of the act of assembly in such case made and provided transmitted to the Court of Appeals here the record of proceedings in a cause which was lately depending before him in the orphans court of the County aforesaid between Jacob Dieus one of the heirs at Law of Philip Nicholls complainant and Edward Hazel Executor of Philip Nicholls defendant and wherein the said orphans court passed a decree that the instrument of writing in the record of proceedings mentioned purporting to be the last will and testament of the said Philip Nicholls was not proved according to Law and that the said will could not be admitted to be recorded in the said orphans court. and from which said decree the said Edward Hazel executor as aforesaid prayed an appeal unto the court of Appeals here the tenor of which said record of proceedings is in form following, to wit,

Prince Georges County sct.

At an orphans court begun and held at the Town of Upper Marlborough in and for the County aforesaid on the second tuesday in December in the year of our Lord one thousand eight hundred and five.

Present.

Thomas Frederick Brooke, Benjamin Oden and James Grenfield Wood } Esquires Justices.

Alexius Boone Esquire sheriff.

Truemen Tyler Register.