aforesaid by their attorneis aforesaid and the said John Sutherland by his attorney aforesaid offers himself against the said Josias Pennington 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 Josias Pennington doth not allege to the Court of Appeals here any matter or thing for the reversal of the judgment aforesaid nor insist upon the matters aforesaid by him 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 John Sutherland have Execution against the said Josias Pennington as well for the damages costs and charges aforesaid adjudged unto him in the said County Court of Baltimore as also for the sum of nine dollars and forty three cents adjudged unto him by the Court of Appeals here on his assent 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 Writ by the said Josias Pennington for the correcting of Errors of and upon the premises as aforesaid prosecuted and so forth.

Test Thomas Harris Clk