December Term 1815

May next and to him it is granted the same day is also given to the said James Carrole and Sophia his wife At which said Last Monday in May being the 31st day of the said month in the year of our Lord one thousand Eight hundred and thirteen which said day was given to the said Samuel Smith to join in the Errors by the said James Carrole and Sophia his wife above assigned come again into the Court of Appeals here the parties aforesaid by their Attornies aforesaid and the said Samuel Smith by his attorneys 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 James Carrole and Sophia his wife above for Error assigned and that the said Judgment may be for 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 first Monday in December next to hear the Judgment of the Court of Appeals here of and upon the premises for that the Court now here thereof are not advised and so forth

At which said first monday in December being the sixth day of the said month in the year of our Lord one thousand Eight hundred and thirteen come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid But because the Court of Appeals here are not yet advised what Judgment to give of and upon the premises a day therefore is further given to the parties aforesaid with the consent of the said parties by their attornies aforesaid to come before the Court of Appeals here on the Last Monday in May next to hear the Judgment of the Court of Appeals here of and upon the premises for that the Court now here as yet are not &c. At which said Last Monday in May being the 30th day of the said month in the year of our Lord one thousand Eight hundred and fourteen come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid Thereupon further process of and upon the premises aforesaid between the parties aforesaid is by virtue of an Act of Assembly in such case made and provided further continued before the Court of Appeals here until the first monday in december next the same day is given to the said parties there then to hear the judgment of the Court of Appeals here of and upon the said premises and so forth

At which said first Monday in December being the fifth day of the said month in the year of our Lord one thousand Eight hundred and fourteen come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid But Because the Court of Appeals here are not yet advised what judgment to give in and upon the premises a day therefore is further given to the parties aforesaid with the consent of the said parties by their attornies aforesaid before the Court of Appeals here until the Last monday in May next to hear the judgment of the Court of Appeals here of and upon the premises for that the Court now here

December Term 1815

as yet are not &c. At which said Last Monday in may being the Twenty ninth day of the said month in the year of our Lord one thousand Eight hundred and fifteen come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid Thereupon further process of and upon the premises aforesaid between the parties aforesaid is by virtue of an Act of Assembly in such case made and provided further continued before the Court of Appeals here until the first Monday in december next the same day is given to the said parties there then to hear the Judgment of the Court of Appeals here of and upon the premises &c.

And now at this day To Wit the said first Monday in December being the fourth day of the said month in the year of our Lord one thousand Eight hundred and fifteen come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid whereupon as well the record of proceedings aforesaid and the Judgment given in form aforesaid as the matters aforesaid by the said James Carrole and Sophia his wife above for Error assigned being seen and by the Court of Appeals here fully understood and mature deliberation thereupon had for that it appears to the Court of Appeals here that there is no Error in the record of proceedings aforesaid nor in the giving Judgment aforesaid 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 Samuel Smith have Execution against the said James Carrole & Sophia his wife as well for the costs and charges aforesaid so as aforesaid adjudged unto him in the said County Court of Baltimore as also for the sum of forty three dollars and fifty 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 Appeal by the said James Carrole & Sophia his wife for the correcting of Errors of and upon the premises as aforesaid prosecuted and so forth Memorandum Judgment was affirmed in this case on the twenty first day of December 1815 the Court of Appeals concurring with the County Court in the opinions expressed in the several Bills of Exceptions in the record of proceedings aforesaid certified The Hon Judge Nicholson withdrew from the Bench at the argument and decision of this case in the Court of Appeals

Test Wm. Harris clk.