day of April in the year of our Lord eighteen hundred and twenty one
John Schley clerk Fredk Coty Ct.

And now come into the Court of appeals here as well the said Samuel Ogle by Roger B Taney his attorney as the said Jacob Weller by Beene & Pigman his attorney and thereupon on motion of the said Jacob Weller by his attorney aforesaid it is ruled by the Court here that the said Samuel Ogle assign the errors in the record of proceedings aforesaid or in the giving the judgment aforesaid so as aforesaid brought before the Court of Appeals here for correcting the errors supposed to be therein or judgment by the Court of appeals here will be entered against him in default thereof. And the said Samuel Ogle by his attorney aforesaid says that in the record of proceedings aforesaid and also in the giving of 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 Jacob Weller against the said Samuel Ogle when by the law of the land that judgment ought to have been given for the said Samuel Ogle against the said Jacob Weller therefore in that there is manifest error and he prays 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 he the said Samuel Ogle may be restored to all things which he hath lost by occasion of the said judgment and that the said Jacob Weller may rejoin to the error aforesaid and so forth. and thereupon it is ruled by the Court of appeals here that the said Jacob Weller join in the error by the said Samuel Ogle 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 Jacob Weller by his attorney aforesaid prays that a day may be given to him to join in the error by the said Samuel Ogle above assigned in the record of proceedings aforesaid until the first Monday in December next and to him it is granted the same day is also given to the said Samuel Ogle.

At which said first Monday in December being the second day of the said month in the year of our Lord one thousand eight hundred and twenty two which said day was given to the said Jacob Weller to join in the error by the said Samuel Ogle above assigned. Come again into the Court of appeals here the parties aforesaid by their attornies aforesaid and the said Jacob Weller 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 Samuel Ogle above for error

assigned, and that the said judgment may be in all things affirmed and so forth. thereupon further proceed of and upon the premises 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 second Monday in June next the same day is given to the said parties there then to hear to judgment of the Court of appeals here of and upon the said premises and so forth.

And now at this day to wit the said second Monday in June being the ninth day of the said month in the year of our Lord one thousand eight hundred and twenty three come again into the Court of appeals here the parties aforesaid by their attornies aforesaid and the said Jacob Weller by his attorney aforesaid offers himself against the said Samuel Ogle 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 Samuel Ogle 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 anywise notwithstanding; and it is further considered by the Court of appeals here, that the said Jacob Weller have execution against the said Samuel Ogle as well for the debt, damages, cost and charges aforesaid, so as aforesaid adjudged unto him in the said County Court of Frederick, as also for the sum of ten dollars and forty eight cents adjudged unto him by the Court of appeals here, on his agent for his cost 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 Samuel Ogle 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 the twelfth day of July eighteen hundred and twenty three and execution awarded for the sum of three hundred and fifteen dollars and thirty eight and one half cents current money Debt five hundred dollars current money Damages and Cost. To be released on payment of three hundred and fifteen dollars and thirty eight and an half cents with interest from the eighteenth of December eighteen hundred and nineteen until paid and seven dollars twenty eight and a third cents cost and cost.

Test Jh Harris. Clk