Counsel begs leave to except and prays the Court to sign and seal this bill of exceptions which is accordingly done this thirteenth day of august in the year of our Lord one thousand eight hundred and twenty three according to the form of the statute in such cases made and provided.

Abr Shriver (Seal)

Lex Testimony that the foregoing is truly taken from the Record of proceedings of Frederick County Court.

I have hereto set my name and affixed the seal of said Court this 1st day of June eighteen hundred and twenty four (Seal)

John Schley Clk Fredk Coty Ct.

And now come into the Court of Appeals here as well the said John Denn lessee as aforesaid by Benj I Pigman his attorney as the said Christopher Mesplier by Roger B Taney his attorney and thereupon on motion of the said Christopher Mesplier by his attorney aforesaid it is ruled by the Court here that the said John Denn lessee as aforesaid assign the error 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 John Denn lessee as aforesaid 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 Christopher Mesplier against the said John Denn lessee as aforesaid when by the law of the land that judgment ought to have been given for the said John Denn lessee as aforesaid against the said Christopher Mesplier 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 John Denn lessee as aforesaid may be restored to all things which he hath lost by occasion of the said judgment and that the said Christopher Mesplier may rejoin to the errors aforesaid and so forth: And thereupon it is ruled by the Court of Appeals here that the said Christopher Mesplier join in the errors by the said John Denn

lessee as aforesaid 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 Christopher Mesplier by his attorney aforesaid prays that a day may be given to him to join in the errors by the said John Denn lessee as aforesaid 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 John Denn lessee as aforesaid.

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 twenty four which said day was given to the said Christopher Mesplier to join in the errors by the said John Denn lessee as aforesaid above assigned come again into the Court of appeals here the parties aforesaid by their attorneis aforesaid and the said Christopher Mesplier 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 John Denn lessee as aforesaid above for error assigned and that the said judgment may be in all things affirmed and so forth thereupon further process 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 the judgment of the Court of appeals here of and upon the said premises and so forth.

At which said second monday in June being the thirteenth day of the said month in the year of our Lord one thousand eight hundred and twenty five come again into the Court of appeals here the parties aforesaid by their attorneis 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 attorneis aforesaid to come before the Court of Appeals here on 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 as yet are not &c.

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 twenty five come again into the Court of Appeals here the parties aforesaid by their attorneis 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 second monday in June 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.