Gambrill 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 Augustine Gambrill. At which said first Monday in December being the first day of the said month, in the year of our Lord one thousand eight hundred and twenty eight, which said day was given to the said Richard Fenn Lessee as aforesaid to join in the errors by the said Augustine Gambrill above assigned, come again into the Court of Appeals here, the parties aforesaid, by their attornies aforesaid: and the said Richard Fenn Lessee as aforesaid 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 Augustine Gambrill above for error assigned, and that the said judgment may be in all things affirmed and so forth. Whereupon 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 eighth day of the said month, in the year of our Lord one thousand eight hundred and twenty nine 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 therefor 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 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 and so forth. At which said first Monday in December being the seventh day of the said month in the year of our Lord one thousand eight hundred and twenty nine 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 therefor 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 second Monday in June 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 and so forth. And now at this day to wit: the said second Monday in June being the fourteenth day of the said month in the year of our Lord one thousand eight hundred and thirty come again into the Court of Appeals here, the parties aforesaid, by their attornies aforesaid: and the said Richard Fenn Lessee as aforesaid by his attornies aforesaid, offers himself against the said Augustine Gambrill 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 aforesaid 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 Augustine Gambrill 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 Richard Fenn Lessee as aforesaid have execution against the said Augustine Gambrill as well for the damages costs and charges aforesaid adjudged unto him in the said county Court of Prince George's County as also for the sum of sixty six dollars and ninety five cents adjudged unto him by the Court of Appeals here, on his recovery 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 a certain writ of the said State by the said Augustine Gambrill 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 on the fifteenth day of July eighteen hundred and thirty and execution awarded for the sum of one cent damages twenty four dollars thirty seven and one third cents costs, and sixty six dollars and ninety five cents Court of Appeals costs.

Test. John Johnson Clk.

Edward Hagthrop
vs
Adam Poland.

Be it remembered, that now here on the second Monday in June being the eighth day of the said month, in the year of our Lord one thousand eight hundred and twenty nine the Chancellor of Maryland, in pursuance of the directions of the act of assembly in such case made and provided, transmits to the Court of Appeals here the record of proceedings of a certain cause which was lately depending before him in the Court of Chancery between Adam Poland complainant, and Edward Hagthrop Defendant, and wherein the said Court of Chancery passed a decree for the said Adam Poland against the said Edward Hagthrop and from which said decree the said Edward Hagthrop appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following to wit.

(See record bound up in book J.J. No. 40.)

And now come into the Court of Appeals here, as well the said Edward Hagthrop by George Winchester his attorney, as the said Adam Poland by Samuel Donaldson his attorney): and thereupon on motion of the said Adam Poland by his attorney aforesaid, it is ordered by the Court here, that the said Edward Hagthrop 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 Edward Hagthrop by his attorney aforesaid, says, that in the record of proceedings aforesaid, and also in the giving of Decree aforesaid, there is manifest error in this to wit: that by the record aforesaid it appears that the Decree aforesaid in the plea aforesaid given, was given for the said Adam Poland against the said Edward Hagthrop, when by the law of the land that Decree ought to have been given for the said Edward Hagthrop against the said Adam Poland therefore in that there is manifest error; and he prays that the Decree 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 Edward Hagthrop may be restored to all things which he hath lost by occasion of the said Decree, and that the said Adam Poland may rejoin to the errors aforesaid and so forth: And thereupon it is ordered by the Court of Appeals here, that the said Adam Poland join in the errors by the said Edward Hagthrop above assigned in the