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cused affixed the seal of the said Court this Ninth day of March in the year of our
(Seal) Lord one thousand eight hundred and twenty seven.
John Schley Clk Treasr Lcty Ct. Ap.

And now come into the Court of Appeals here, as well the said Richard Fenn Lessee as aforesaid by William Ross his attorney, and also comes into Court here William Penny and Eliza A. D. his wife Elias Cheney and Sarah Ann his wife by John Nelson their attorney and suggests to the Court here that since the filing of the appeal aforesaid and before this day (towit) on the day of last past the said Robinson Eastburn departed this life, leaving them the said William Penny and Eliza A. D. his wife, Elias Cheney and Sarah Ann his wife his heirs and representatives, and this is not denied. Whereupon on motion of the said William Penny and Eliza A. D. his wife, Elias Cheney and Sarah Ann his wife by their attorney aforesaid they are permitted by the Court here to appear and they accordingly appear and become parties in the appeal and proceedings aforesaid, in the place and stead of the said Robinson Eastburn for the purpose of defending the same according to the act of assembly in such case made and provided: And thereupon on motion of the said William Penny and Eliza A. D. his wife, Elias Cheney and Sarah Ann his wife by their attorney aforesaid, it is ruled by the Court here that the said Richard Fenn Lessee as aforesaid 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 electing the errors suppposed to be therein, or judgment by the Court of Appeals here will be entered against them in default thereof. And the said Richard Fenn 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 Court, that by the record aforesaid, it appears that the judgment aforesaid in the plea aforesaid given was given for the said Robinson Eastburn against the said Richard Fenn Lessee as aforesaid, whereby the law of the land that judgment ought to have been given for the said Richard Fenn Lessee as aforesaid against the said Robinson Eastburn, Wherefore 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 Richard Fenn Lessee as aforesaid may be restored to all things which he hath lost by occasion of the said judgment, and that the said William Penny and Eliza A. D. his wife, Elias Cheney and Sarah Ann his wife may rejoin to the errors aforesaid and so forth.

And thereupon it is ruled by the Court of Appeals here that the said William Penny and Eliza A. D. his wife, Elias Cheney and Sarah Ann his wife join in the errors by the said Richard Fenn Lessee as aforesaid above assigned in the record of proceedings aforesaid, or judgment by the Court of Appeals here will be rendered against them in default thereof. And the said William Penny & Eliza A. D. his wife, Elias Cheney and Sarah Ann his wife by their attorney aforesaid, pray that a day may be given to them to join in the errors by the said Richard Fenn Lessee as aforesaid above assigned in the record of proceedings aforesaid, until the first Monday in December next, and to them it is granted, the same day is also given to the said Richard Fenn Lessee as aforesaid likewise.

At which said first Monday in December being the third day of the said month

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in the year of our Lord one thousand eight hundred and twenty seven which said day was given to the said William Penny, Eliza A. D. his wife, Elias Cheney and Sarah Ann his wife to join in the errors by the said Richard Fenn Lessee as aforesaid above assigned, come again into the Court of Appeals here, the parties aforesaid by their attornies aforesaid: and the said William Penny and Eliza A. D. his wife, Elias Cheney and Sarah Ann his wife by their attorney aforesaid, say that there is no error in the record of proceedings aforesaid, nor in the giving of the judgment aforesaid, and they pray that the Court of Appeals here will proceed to the examination as well of the record of proceedings aforesaid, as of the matter aforesaid, by the said Richard Fenn 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 ninth day of the said month, in the year of our Lord one thousand eight hundred and twenty eight 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 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 advised, and so forth. 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 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 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 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 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 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 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 (towit) 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