insist upon the matters aforesaid by him above forever 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 Mary Whitehill have execution against the said Frederick Crabb as well for the costs and charges aforesaid, so as aforesaid adjudged unto her in the said County Court of Frederick, as also for the sum of nineteen dollars and fifty seven cents adjudged unto her by the Court of Appeals here on her assent for her costs and charges which she 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 Frederick Crabb, 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 third day of December eighteen hundred and thirty three and execution awarded for the sum of ten dollars fifty three and one third cents costs in County Court and nineteen dollars and fifty seven cents costs in Court of Appeals.

And thereupon at a subsequent Term of the said Court of Appeals Court on the second Monday of June in the year of our Lord one thousand eight hundred and thirty four, appeared in Court here Frederick Crabb by Charles F. Mayer his attorney, and filed in Court a motion which is in the words and of the tenor following, viz.

Frederick Crabb vs Mary Whitehill	Court of Appeals December Term 1833. The appellant by his Counsel here moves the Court that the judgment of affirmance in this cause be struck out and that the case be allowed to be argued: there suggesting to the Court that the absence of Counsel at the call of the case was without fault on part of the appellant or his Counsel, and praying that the circumstances of said absence be permitted upon affidavit or other proof to be shewn to the Court. Charles F. Mayer Attorney of appellant.

Thereupon the Court here, upon mature deliberation thereon had, did on the twelfth day of July in the year aforesaid order and direct, that the said motion be overruled.

Test. John Johnson Clk.

Dennis Dorsey vs. Dathan Dorsey, Owen Elder and Ann his wife.	Be it remembered, That now here on the second Monday in June being the eleventh day of the said month in the year of our Lord one thousand eight hundred and thirty two 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 plea which was lately depending before him in the Court of Chancery between Dennis Dorsey and Dathan Dorsey complainants

and Dennis Dorsey and others defendants, and whereon the said Court of Chancery passed a decree for the said Dathan Dorsey, Owen Elder and Ann his wife against the said Dennis Dorsey and from which said decree, the said Dennis Dorsey appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following, viz.

See Record bound up in Book I. D. No. 4. C.

And now come into the Court of Appeals here, as well the said Dennis Dorsey by Thomas Parkin Scott and John Scott his attornies, as the said Dathan Dorsey, Owen Elder and Ann his wife by William H. Marriott their attorney; and thereupon on motion of the said Dathan Dorsey, Owen Elder and Ann his wife by their attorney aforesaid, it is ruled by the Court here, that the said Dennis Dorsey assign the errors in the record of proceedings aforesaid, or in the giving the decree 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 Dennis Dorsey by his attornies aforesaid says, that in the record of proceedings aforesaid, and also in the giving of decree aforesaid, there is manifest error in this Court, that by the record aforesaid it appears that the decree aforesaid in the cause aforesaid given, was given for the said Dathan Dorsey, Owen Elder and Ann his wife against the said Dennis Dorsey, when by the Law of the land that decree ought to have been given for the said Dennis Dorsey against the said Dathan Dorsey, Owen Elder and Ann his wife, 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 Dennis Dorsey may be restored to all things which he hath lost by occasion of the said decree, and that the said Dathan Dorsey, Owen Elder and 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 Dathan Dorsey, Owen Elder and Ann his wife join in the errors by the said Dennis Dorsey 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 Dathan Dorsey, Owen Elder and Ann his wife by their attorney aforesaid pray that a day may be given to them to join in the errors by the said Dennis Dorsey 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 Dennis Dorsey.

At which said first Monday in December being the third day of the said month in the year of our Lord one thousand eight hundred and thirty two which said day was given to the said Dathan Dorsey, Owen Elder and Ann his wife to join in the errors by the said Dennis Dorsey above assigned, come again into the Court of Appeals here, the parties aforesaid by their attornies aforesaid: and the said Dathan Dorsey, Owen Elder and Ann his wife by their attorney aforesaid, say there is no error in the record of proceedings aforesaid, nor in the giving of the decree aforesaid, and they pray that the Court of Appeals here will proceed to the examination and review of the record of proceedings aforesaid as of the matters aforesaid by the said Dennis