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for that error and others being in the record of proceedings aforesaid may be reversed annulled and held entirely as void and that they the said Stephen H. Gough and Robert Manning may be restored to all things which they have lost by occasion of the said judgment and that the said State of Maryland may rejoin to the errors aforesaid and so forth: And thereupon it is ruled by the Court of Appeals here that the said State of Maryland join in the errors by the said Stephen H. Gough and Robert Manning above assigned in the record of proceedings aforesaid or judgment by the Court of Appeals here will be rendered against it in default thereof: And the said State of Maryland by its attorney aforesaid prays that a day may be given to it, to join in the error by the said Stephen H. Gough and Robert Manning above assigned in the record of proceedings aforesaid until the first Monday in December next and it is granted; the same day is also given to the said Stephen H. Gough and Robert Manning: At which said first Monday in December being the fourth day of the said month in the year of our Lord one thousand eight hundred and thirty seven which said day was given to the said State of Maryland to join in the errors by the said Stephen H. Gough and Robert Manning above assigned come again into the Court of Appeals here, the parties aforesaid by their attorneys aforesaid; and the said State of Maryland by its attorney aforesaid says there is no error in the record of proceedings aforesaid nor in the giving of the judgment aforesaid, and it 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 Stephen H. Gough and Robert Manning 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.. And now at this day to wit the said second Monday in June being the eleventh day of the said month in the year of our Lord one thousand eight hundred and thirty eight come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid and the said State of Maryland by its attorney aforesaid offers itself against the said Stephen H. Gough and Robert Manning 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 forasmuch as the said Stephen H. Gough and Robert Manning 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 them 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 State of Maryland have execution against the said Stephen H. Gough and Robert Manning as well for the debt damages costs and charges aforesaid so as aforesaid adjudged unto it in the said County Court of Saint Mary's County as also for the sum of thirteen dollars and seven cents adjudged unto it by the Court of Appeals here on its assent

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for its costs and charges which it had 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 Stephen H. Gough and Robert Manning 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 tenth day of July eighteen hundred and thirty eight and execution awarded for the sum of nine thousand two hundred and twenty two dollars, current money debt fifteen dollars thirty three and one third cents costs and costs. To be released upon the payment of nine hundred and six dollars seventy nine and four fifths cents with interest from the twenty fourth December eighteen hundred and thirty two till paid and the above costs and costs.

Test, Richard M. Gill, Clerk.

The State at the Instance and for the use of Edward Gough..
vs
Stephen H. Gough and Robert Manning..

Be it remembered, That heretofore to wit on the eighteenth day of December in the year of our Lord one thousand eight hundred and thirty eight The State of Maryland by Benjamin H. Harris its attorney prosecuted and sued forth out of the Court of Appeals here a writ of the State of Maryland of Fieri Facias to the sheriff of Saint Mary's County directed, in the words and figures following to wit:

Maryland, &c. The State of Maryland to the sheriff of Saint Mary's County greeting: Whereas at a County Court begun and held at Leonard Town in and for Saint Mary's County on the first Monday of March in the year of our Lord one thousand eight hundred and thirty six The State of Maryland by the judgment of the said Court recovered against a certain Stephen H. Gough Robert Manning and Lewis Williams late of Saint Mary's County gentlemen otherwise called Stephen H. Gough Robert Manning and Lewis Williams as well the sum of nine thousand two hundred and twenty two dollars current money a certain debt as the sum of fifteen dollars and thirty three and one third cents for its costs and charges by it about its suit in that behalf laid out and expended whereof the said Stephen H. Gough and Robert Manning are convict as by inspecting the record of proceedings of the same Court brought before the Court of Appeals for the Western Shore at the city of Annapolis by reason of errors alleged to have been therein manifestly appears: and whereas it hath been adjudged in the said Court of Appeals at the city of Annapolis aforesaid on the second Monday in June in the year of our Lord one thousand eight hundred and thirty eight that the said judgment given in form aforesaid be in all things affirmed and ratified and that the said State of Maryland might have execution against the said Stephen H. Gough and Robert Manning for as well the debt damages costs and charges aforesaid as adjudged unto it in the said County Court as also for the sum of thirteen dollars seven cents for its damages costs and charges by it sustained by reason of delaying the execution of the judgment aforesaid by means of the prosecuting a certain appeal by the said Stephen H. Gough and Robert Manning before the said Court of Appeals for the correcting of errors of and upon the premises whereof the said Stephen H. Gough and Robert Manning are convict, as of record it likewise appeareth. Therefore you