examination as well of the record of proceedings aforesaid as of the matters aforesaid by the said Richard Roe, 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 forty two come again into the Court of Appeals here, the parties aforesaid by their attorneys 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 attorneys 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 forty two come again into the Court of Appeals here the parties aforesaid, by their attorneys 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 consent of the said parties by their attorneys aforesaid, 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 for that the Court now here as yet are not, &c. At which said second Monday in June being the twelfth day of the said month, in the year of our Lord one thousand eight hundred and forty three come again into the Court of Appeals here, the parties aforesaid by their attorneys 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 attorneys 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, &c. And now at this day to wit, the said first Monday in December being the fourth day of the said month, in the year of our Lord one thousand eight hundred and forty three come again into the Court of Appeals here, as well the said Richard Roe, Lessee as aforesaid by William Price Samuel M. Semmes and William Schley his attornies as the said Jacob Devore by Frederick A. Schley Thomas Perry and Thomas I. McKaig his attornies, the said parties by their attornies aforesaid file in Court here, the following agreement, to wit:

Lomlinson's Lessee vs. Devore. | Appeals from Allegany County Court. – We agree that Richard W. Gill, Esq.r the Clerk shall alter the case stated in this case as follows "1837 to 1827, and the 5th. of July the time of inquisition found to the 24th July. –

January 9th 1844. – Thomas I. McKaig, atty for Appellee. –

Therefore it is considered by the Court here, that the said Richard Roe Lessee as aforesaid take nothing by his declaration aforesaid, but for his false complaint against the said Jacob Devore be in mercy &c. And the said Jacob Devore go thereof without day &c. And it is further considered by the Court here, that the said Jacob Devore recover against the said Richard Roe, Lessee

as aforesaid the sum of nine dollars and forty eight and one third cents for his costs and charges, by him laid out and expended in and about his defence in this behalf sustained, to the said Jacob Devore by the said Court now here adjudged &c. "and that the said Jacob Devore may have execution therefor &c."

We agree that the record in this case shall be amended by inserting the above. – Thomas I. McKaig, atty. for Appellee. – Wm. Price, for Appellant. –

Whereupon as well the record and proceedings aforesaid, and the judgment given in form aforesaid, as the matters aforesaid, by the said Richard Roe Lessee as aforesaid above for error assigned, being seen, and by the Court of Appeals here fully understood and mature deliberation thereupon had; for that it appears to the Court of Appeals here, that there is no error in the record of proceedings aforesaid, nor in the giving of the judgment aforesaid. Therefore it is considered by the Court of Appeals here, that the judgment aforesaid given in form aforesaid, be in all things affirmed and stand in full force and effect, the said causes for error above assigned and alleged in anywise notwithstanding. And it is further considered by the Court of Appeals here, that the said Jacob Devore have execution against the said Richard Roe Lessee as aforesaid as well for the costs and charges aforesaid adjudged unto him in the said County Court of Allegany County as also the sum of thirty dollars and twenty nine cents adjudged unto the said Jacob Devore by the Court of Appeals here, on his assent for his costs and charges which he 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 Richard Roe, Lessee as aforesaid for the correcting of errors of and upon the premises as aforesaid prosecuted &c.

Ex.d Test, Richard W. Gill, Clerk.

Maryland Set.

At a Court of Appeals of the State of Maryland one of the United States of America begun and held for the Western Shore of the said State at the City of Annapolis on the second Monday of June being the tenth day of the same month in the year of our Lord one thousand eight hundred and forty four and in the sixty eighth year of the Independence of the United States. –

Present

The Honorable John Buchanan, Chief Judge; John Stephen, Stevenson Archer, Thomas B. Dorsey, Ezekiel F. Chambers and Asa Spence – Judges. – Richard W. Gill, Clerk.

The Court met pursuant to adjournment. Present The Honorable John Buchanan, Stevenson Archer, Thomas B. Dorsey, E. F. Chambers, and Asa Spence –

Soon after the assembling of the Court, A. C. Magruder, Esq.r informed the Court of the death of the Honorable John Stephen, one of the Judges of the