attorney aforesaid prays that a day may be given to him to join in the errors by the said John A. Clarke 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 John A. Clarke. At which said first Monday in December being the sixth day of the said month, in the year of our Lord one thousand eight hundred and forty seven which said day was given to the said Thomas H. Miles to join in the errors by the said John A. Clarke above assigned, come again into the Court of Appeals here, the parties aforesaid by their attorneys aforesaid; and the said Thomas H. Miles 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 of as well of the record of proceedings aforesaid, as of the matters aforesaid, by the said John A. Clarke 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 here, 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 twelfth day of the said month, in the year of our Lord one thousand eight hundred and forty eight come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid; and the said Thomas H. Miles by his attorney aforesaid, offers himself against the said John A. Clarke 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 John A. Clarke 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 anywise notwithstanding; and it is further considered by the Court of Appeals here, that the said Thomas H. Miles, have execution of the said John A. Clarke as well for the debt damages, costs and charges aforesaid, so as aforesaid adjudged unto him in the said County Court of Saint Mary's County as also for the sum of eight dollars and two cents adjudged unto him 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 John A. Clarke 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 twenty first day of June eighteen hundred and forty eight and execution awarded for the sum of five hundred and

fifty dollars current money Debt eleven hundred dollars current money damages; eight dollars eighty eight and one third cents costs and costs. To be released upon the payment of five hundred and fifty dollars current money debt with interest thereon from the first day of January one thousand eight hundred and thirty nine until paid and the above costs and costs.

Test, Richard W. Gill, Clerk.

To

Thomas H. Miles use of Elwily Smith use of Pike and Penn for $615.21 with interest from 14th March 1844 use of Benjamin G. Harris for $115.93 with interest from 14th August 1845 — vs. John A. Clarke, Philip Clarke and Benedict J. Abell.	Be it remembered, That heretofore, to wit, on the ninth day of March in the year of our Lord, one thousand, eight hundred and forty nine Thomas H. Miles by Benjamin G. Harris his 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, ss: 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 forty four a certain Thomas H. Miles by the judgment of the said Court recovered against a certain John A. Clarke late of Saint Mary's County yeoman as well the sum of five hundred and fifty dollars current money debt eleven hundred dollars for his damages which he had sustained as well by reason of the detention of that debt as also the sum of eight dollars eighty eight and one third cents for his costs and charges by him about his suit in that behalf laid out and expended, whereof the said John A. Clarke is 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 reasons 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 forty eight, that the said judgment, given in form aforesaid, be in all things affirmed and ratified, and that the said Thomas H. Miles might have execution against the said John A. Clarke, for as well the debt damages, costs and charges aforesaid, as adjudged unto him in the said County Court, as also for the sum of eight dollars and two cents for his damages, costs and charges by him sustained by reason of delaying the execution of the judgment aforesaid, by means of the prosecuting a certain appeal by the said John A. Clarke before the said Court of Appeals, for the correcting of errors of and upon the premises, whereof the said John A. Clarke is convict, as of record it likewise appeareth;