And now come into the Court of Appeals here as well the said Richard Roe lessee of John Johnson by Otho Scott Esquire his attorney, as the said Rebecca E. Creswell, Daniel Megreedy, Thomas Bond, Joseph Abahams, James Barnes Thomas L. Larin & Hannah Quarll by John C. Greene Esq. their attorney. And the said Richard Roe lessee of John Johnson 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, to wit; that by the record aforesaid it appears that the judgment aforesaid in the plea aforesaid given was given for the said Rebecca E. Creswell Daniel Megreedy, Thomas Bond, Joseph Abahams James Barnes, Thomas L. Larin & Hannah Quarll against the said Richard Roe lessee of John Johnson when by the law of the land that judgment ought to have been given for the said Richard Roe lessee of John Johnson against the said Rebecca E. Creswell, Daniel Megreedy, Thomas Bond Joseph Abahams James Barnes Thomas L. Larin & Hannah Quarll, therefore 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 Roe lessee of John Johnson may be restored to all things which he lost by occasion of the said judgment and that the said Rebecca E. Creswell, Daniel Megreedy, Thomas Bond, Joseph Abahams, James Barnes Thomas L. Larin & Hannah Quarll may rejoin to the errors aforesaid and so forth. And the said Rebecca E. Creswell, Daniel Megreedy, Thomas Bond, Joseph Abahams, James Barnes Thomas L. Larin and Hannah Quarll by their attorney aforesaid, say there is no error in the record of proceedings aforesaid, 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 aforesaid, by the said Richard Roe lessee of John Johnson above, for error assigned, and that the said judgment may be in all things affirmed; and so forth. But because the Court of Appeals here are not advised what judgment to give of and upon the premises, day therefore is given to the parties aforesaid, before the Court of Appeals here until the Monday in next, to hear the judgment of the Court of Appeals here, of and upon the premises, for that the Court now here thereof are not advised, and so forth.

At which said third Monday in November being the day of the said month, in the year of our Lord one thousand eight hundred and Come again into the Court of Appeals here, the parties aforesaid by their attornies aforesaid, 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 Monday in 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 premises and so forth.

At which said first Monday in June being the day of the said month, in the year of our Lord One thousand Eight Hundred and Come again into the Court of Appeals here, the parties aforesaid by their attornies

aforesaid. But because the Court of Appeals here are not 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 Monday in 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 third Monday in November being the day of the said month, in the year of our Lord One thousand Eight hundred and 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 Appeal here until the Monday in 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 premises, and so forth.

And now at this day to wit, the said Monday in being the day of the said month, in the year of our Lord one thousand eight hundred and Come again into the Court of Appeals here, the parties aforesaid by their attornies aforesaid. 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 of John Johnson 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 any wise notwithstanding. And it is further considered by the Court of Appeals here, that the said Rebecca E. Creswell Daniel Megreedy Thomas Bond Joseph Abahams James Barnes, Thomas L. Larin & Hannah Quarll have execution against the said John Johnson Lessor of the aforesaid Richard Roe as well for costs and charges adjudged unto them in the said County Court of Lewis as also the sum of fifty nine dollars sixty seven cents and two thirds of a cent adjudged unto the said Rebecca E. Creswell, Daniel Megreedy Thomas Bond, Joseph Abahams, James Barnes, Thomas L. Larin & Hannah Quarll by the Court of Appeals here on their appeal for their costs and charges by them about their defence in this behalf laid out and expended &c.

Memorandum: Judgment affirmed June 18-40.