and now come into the Court of Appeals here as well the said William P. Wheeler by James M. Martin Esquire his attorney as the said John Gillingham and Edward Scrosp by Samuel Hambleton Jr. Esquire their attorney. And the said William P. Wheeler 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 for the said John Gillingham and Edward Scrosp against the said William P. Wheeler, when by the law of the land that Judgment ought to have been given for the said William P. Wheeler against the said John Gillingham and Edward Scrosp; wherefore 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 William P. Wheeler may be restored to all things which he lost by occasion of the said Judgment and that the said John Gillingham and Edward Scrosp may rejoin to the errors aforesaid and so forth. And thereupon it is ruled by the Court of Appeals here that the said John Gillingham and Edward Scrosp join in the errors by the said William P. Wheeler 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 John Gillingham and Edward Scrosp by their attorney aforesaid pray that a day may be given to them to join in the errors by the said William P. Wheeler above assigned in the record of proceedings aforesaid until the third monday in November next and to them it is granted; the same day is also given to the said William P. Wheeler, then and so forth. At which said third monday in November being the Seventeenth day of the same month in the year of our Lord One thousand eight hundred and forty five which said day was given to the John Gillingham and Edward Scrosp to join in the errors by the said William P. Wheeler above assigned come again into the Court of Appeals here the parties aforesaid by their attorneys aforesaid; and the said John Gillingham and Edward Scrosp by their attorney aforesaid say there is no error in the record of proceedings aforesaid nor in the giving of the Judgment aforesaid and pray 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 William P. Wheeler above for error assigned, and that the said Judgment may be in all things affirmed and so forth. And thereupon further process, if and upon the premises between the parties aforesaid, is, by virtue of an act

of assembly in such case made and provided continued before the Court of Appeals here until the first 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 premises and so forth.

And now at this day to wit: the said first monday in June, being the first day of the said month in the year of our Lord One thousand eight hundred and forty six 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 William P. Wheeler 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 the Judgment aforesaid. Therefore it is considered by the Court of Appeals here that the Judgment aforesaid given in form aforesaid 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 John Gillingham and Edward Scrosp have execution against the said William P. Wheeler as well for the damages, costs and charges aforesaid adjudged unto him in the said County Court of Talbot as also for the sum of Ten dollars, fifty one cents and two thirds of a cent adjudged unto the said John Gillingham and Edward Scrosp by the Court of Appeals here on his appeal for his costs and charges which he hath sustained by occasion of the delay of the execution of the Judgment aforesaid by pretence of prosecuting the said appeal by the said William P. Wheeler for the reversing of errors supposed to be therein.

Memorandum. Judgment was affirmed in this Case on the first day of June 1846 for $200-00 Damages and $8-15 cents and $10-11½ costs of this suit. Debt to be released upon payment of $99-55 with interest from 31st May 1843 until paid and Costs

And be it remembered that afterwards to wit. on the 11th day of June 1846 the said John Gillingham and Edward, by Samuel Hambleton Jr. Esquire their attorney, prosecuted and sued forth out of the Court of Appeals here the Writ of the State of Maryland of Fieri Facias of and upon the Judgment affirmed as aforesaid, to the Sheriff of Talbot County in the words & figures and of the tenor following to wit:

The State of Maryland, To the Sheriff of Talbot County Greeting: Whereas
Trial of Appl. a County Court began and held at Easton in and for Talbot
led of appl. County on the third Monday of May in the year of our Lord 1843,
a certain Gillingham and Scrosp by consideration of the said Court, did
recover Judgment against a certain William P. Wheeler for as well the
sum of Two Hundred dollars, current money for their damages, which
they had sustained by reason of the non performance of a certain promise