given for the said Stephen L Lee against the said John B Welhelm Adm^r as aforesaid therefore in that there is manifest error, and he prays that the Decree 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 Stephen L Lee may be restored to all things which he hath lost by occasion of the said Decree, and that the said John B Welhelm Adm^r as aforesaid may rejoin to the errors aforesaid, and so forth And thereupon, it is ruled by the Court of Appeals here, that the said John B Welhelm Adm^r as aforesaid join in the errors by the said Stephen L Lee above assigned in the record of proceedings aforesaid, or judgment by the Court of Appeals here, will be rendered against him in default thereof: And the said John B Welhelm by his attorneys aforesaid, prays that a day may be given to him to join in the errors by the said Stephen L Lee above assigned in the record of proceedings aforesaid, until the second Monday in June next; and to him it is granted; the same day is also given to the said Stephen L Lee

At which said Second Monday in June being the Tenth day of the said month, in the year of our Lord one thousand eight hundred and fifty which said day was given to the said John B Welhelm Adm^r as aforesaid to join in the errors by the said Stephen L Lee above assigned, Come again into the Court of Appeals here, the parties aforesaid by their attorneys aforesaid; and the said John B Welhelm Adm^r as aforesaid by his attorneys aforesaid, says there is no error in the record of proceedings aforesaid, nor in the giving of the Decree aforesaid, and he 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 L Lee above for error assigned, and that the said Decree 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 First Monday in December next; the same day is given to the said parties there, then to hear the Decree of the Court of Appeals here of and upon the said premises and so forth.

And now at this day towit, the said First Monday in December being the Second day of the said month, in the year of our Lord one thousand eight hundred and fifty Come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid; and the said John B Welhelm Adm^r as aforesaid by his attorneys aforesaid, offers himself against the said Stephen L Lee 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 Decree may be in all things affirmed and so forth; and for as much as the said Stephen L Lee doth not allege to the Court of Appeals here, any matter or thing for the reversal of the Decree aforesaid; nor insist upon the matters aforesaid, by him above for error assigned but relinquishes the same: Therefore it is Considered by the Court of Appeals here, that the Decree 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 John B Welhelm Adm^r as aforesaid have execution against the said Stephen L Lee as well for the costs and

charges aforesaid, so as aforesaid adjudged unto him in the said Court of Chancery as also for the sum of forty nine dollars & fifty four 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 Decree aforesaid, by pretext of the prosecution of the said appeal by the said Stephen L Lee for the Correcting of errors of and upon the premises as aforesaid prosecuted and so forth.

Memorandum. Decree was affirmed nisi in this Case on the 7th March 1851 and made absolute on the Tenth day of June 1851.

Test

Richard W Gill Clerk.

Ed.