the said F. A. Towns and Edward Kirby may rejoin to the errors aforesaid, and soforth; and thereupon it is ruled by the Court of Appeals here, that the said Frances Ann Towns and Edward Kirby, join in the errors by the said Ammon Cate above assigned in the Record of Proceedings aforesaid, or Decree by the Court of Appeals here, will be rendered against them in default thereof; and the said F. A. Towns and Edward Kirby by their Attorneys aforesaid, say there is no error in the Record of Proceedings aforesaid, nor in the giving of the Decree aforesaid, and they 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 Ammon Cate above for error assigned, and that the said Decree may be in all things affirmed, and soforth; thereupon further process of and upon the premises, between the parties aforesaid is, by virtue of an Act of Assembly in such cases made and provided, continued before the Court of Appeals here, until the first Monday in April 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 soforth.

At which said First Monday in April being the second day of the said month, in the year of our Lord one thousand eight hundred and eighty 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 Decree 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 October next, to hear the Decree 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 October, being the First day of the said month, in the year of our Lord one thousand eight hundred and eighty three come again into the Court of Appeals here, the parties aforesaid by their attorney aforesaid.

Whereupon as well the Record and Proceedings aforesaid, and the Decree given in form aforesaid, as the matters aforesaid, by the said Ammon Cate 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 Decree aforesaid: Therefore, it is considered by the Court of Appeals here, that 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 F. A. Towns and Edward Kirby have execution against the said Ammon Cate as well for the costs and charges aforesaid adjudged unto them in the said Circuit Court of Baltimore City as also the sum of $299.00 adjudged unto the said F. A. Towns and Edward Kirby by the Court of Appeals here, on their assent for their costs and charges which they have 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 Ammon Cate for the correcting of errors of and upon the premises as aforesaid prosecuted, &c.

Memorandum. – Judgment was affirmed in this case, on the 9th day of January 1884 and execution awarded for the sum of 299.00 costs in the Court of Appeals and $ costs in the Circuit Court & costs and on the same day the following decree was filed to wit.