

man, 6 Gill 59,²⁴ and S. P. as to a ratification of a sale passing title to the purchaser, Neel v. Hughes, 10 G. & J. 7. This description, however, is sufficient if it be such that the property may be clearly identified, and technical minute precision is not required, either in the schedule returned with the writ, or in the advertisement, Berry v. Griffith, 2 H. & G. 337.²⁵ In the same case, however, it was held that the sheriff had a right *in due time*²⁶ to correct his return to a *fi. fa.*, so as to make it conform to the truth of the fact, whatever that may be, and to give it effect and legal operation. Here the correction was made on the return of the writ. And so in Clark v. Belmear, 1 G. & J. 443, the Court were of opinion that a return to a writ of *fi. fa.*, that the sheriff had sold the lands in the schedule mentioned, which lands were contained within certain metes and bounds set out in the return, would help an uncertainty in the schedule, and a similar return to a writ of *vendi. exp.* would aid a defect in the schedule returned under a preceding writ of *feri facias*, and see Barney v. Patterson, 6 H. & J. 205; Manahan v. Sammon, 3 Md. 463. And, in general, a purchaser at a sheriff's sale may deduce his title from any part of the official proceedings of the sheriff; and if there be in any of *them evidence showing with cer- **241** tainty and by a sufficient description the extent and limits of the property sold, the sale and the title of the purchaser will be good, Wright v. Orrell, 19 Md. 151. It has been held too that a mistake in spelling the name of a tract of land does not vitiate, if the word mis-spelt resembles in sound and sense the right name; and the calling in the schedule, &c., a tract of land "West Route," when its patent name was "Western Route," was no material variance, Huddleson v. Reynold's lessee, 8 Gill, 332, and see Elliott's lessee v. Knott, 14 Md. 121. As to amendments of returns to writs of attachment, see Hutchins v. Brown, 4 H. & McH. 498; Boyd v. Ches. & O. Canal Company, 17 Md. 195.²⁷

Amendments of record on appeal.—As before observed, it is generally required that there should be something to amend by, see Tidd Prac. 713.²⁸ Where an amendment is to be made in matter of fact, an affidavit is required, unless it is made from the notes or memory of the Judge. See the cases hereinbefore cited. The practice with us on error or appeal to

²⁴ Langley v. Jones, 33 Md. 171.

²⁵ Busey v. Tuck, 47 Md. 175; Jarboe v. Hall, 37 Md. 345.

²⁶ In Jarboe v. Hall, 37 Md. 345, it was held that such correction might be made at a term subsequent to the return term of the writ.

The right of the sheriff to amend his return so as to make it conform to the facts and the right of the parties interested to have him so amend his return is a common law right to which no rule of court can be a bar. Main v. Lynch, 54 Md. 658.

²⁷ O'Connell v. Ackerman, 62 Md. 337. The sheriff may amend his return to a writ of attachment at any time during the trial and before the jury retires unless the rights of third parties have meanwhile attached. Main v. Lynch, 54 Md. 658.

²⁸ Hall v. Claggett, 63 Md. 65.