December Term 1809.

James Williams
vs
William Hodgson use
of John Hopkins & wife

Be it remembered, that now here on the third monday in June being the sixteenth day of the said month in the year of our Lord one thousand eight hundred and six, the Chancellor of the State of Maryland in pursuance of the act of assembly in such case made and provided, transmits to the Court of appeals here the Record of proceedings in a cause which was lately depending before him in the Court of Chancery between William Hodgson, Complainant and James Williams and John Clarke, Defendants, and wherein the said Court of Chancery passed a Decree in favour of the said William Hodgson against the said James Williams and John Clarke, and from which said Decree the said James Williams appealed unto the Court of appeals here; the tenor of which said Record of proceedings is in form following, to wit: [Here copy the Record and proceedings as bound up in book marked Records TH. No F]. And now come into the Court of Appeals here as well the said James Williams by Arthur Shaaff his attorney, as the said William Hodgson by Philip Barton Key and John Johnson his attornies; and thereupon, on motion of the said William Hodgson by his attornies aforesaid, it is ruled by the Court of appeals here that the said James Williams assign the errors in the Record of proceedings of the Decree aforesaid, brought before the Court of appeals here for correcting the errors supposed to be therein, or Judgment by the Court here will be rendered against him in default thereof; and the said James Williams by his attorney aforesaid, says that in the Record of proceedings aforesaid, as also in rendering the Decree aforesaid, it is manifestly erred in this, that is to say, that by the Record of proceedings aforesaid it appears that the Decree aforesaid in form aforesaid given, was given for the said William Hodgson against him the said James Williams when by the Law of the Land and in Equity and good conscience, that Decree ought to have been given for him the said James Williams against the said William Hodgson; therefore in this it is manifestly erred; and he prays that the Decree aforesaid for this and other errors in the Record of proceedings aforesaid being, may be revoked, annulled and held for

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December Term 1809.

naught and that he the said James Williams to all which he by occasion of the Decree aforesaid hath lost may be restored &c. and he prays that the said William Hodgson may rejoin to the errors aforesaid &c. And thereupon it is ruled by the Court here that the said William Hodgson join in the errors aforesaid or Judgment by the court here will be rendered against him in default thereof; and the said William Hodgson by his attornies aforesaid prays that a day may be given him to join in the errors by the said James Williams above assigned in the Record of proceedings aforesaid until the third Monday in December next; and to him it is granted: the same day is also given to the said James Williams.

At which said third Monday in December being the fifteenth day of the said month in the year of our Lord one thousand eight hundred and six, which said day was given to the said William Hodgson to join in the errors aforesaid by the said James Williams above assigned, come again into the Court of appeals here the parties aforesaid by their attornies aforesaid; and the said William Hodgson by his attornies aforesaid says that neither in the Record of proceedings aforesaid, nor in the rendering the Decree aforesaid it is in any wise erred, and he prays that the Court of appeals here may proceed to examine as well the matters aforesaid above assigned for error, and that the Decree aforesaid in form aforesaid given 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 is therefore given to the parties aforesaid before the Court of appeals here until the third Monday in June next, to hear their Judgment of and upon the premises, for that the Court now here thereof are not advised and so forth.

At which said third monday in June being the fifteenth day of the said month in the year of our Lord one thousand eight hundred and seven, come again into the Court of appeals here the parties aforesaid by their attornies aforesaid: But because the Court of appeals here are not yet advised what Judgment to give of and upon the premises, day is therefore further given to the parties aforesaid, with the consent of the said parties by their attornies aforesaid, before the Court of appeals here until the third monday in December next to hear their Judgment of and upon the premises, for that the Court now here thereof as yet are not advised &c.

At which said third monday in December being the twenty first day of the said month in the year of our Lord one thousand eight hundred and seven, come again into the Court of appeals here the parties aforesaid by their attornies aforesaid: But because the Court of appeals here are not yet advised what Judgment to give of and upon the premises, a day is therefore further given to the parties aforesaid, with the consent of the said parties by their attornies aforesaid, before the Court of appeals here until the third Monday in June next to hear their