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 and twenty two 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 therefore is further given to the parties aforesaid with the consent of the said parties by their attornies aforesaid to come before the Court of Appeals here, on the first Monday in December next to hear the judgment of the Court of Appeals here of and upon the premises, for that the Court now here as yet are not ad. At which said first monday in December being the second day of the said month in the year of our Lord one thousand eight hundred and twenty two come again into the Court of Appeals here the parties aforesaid, by their Attornies aforesaid. Thereupon further process of and upon the prem[illegible] aforesaid, between the parties aforesaid, 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 second 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 said premises, and so forth. And now at this day to wit, the said second Monday in June being the ninth day of the said month in the year of our Lord one thousand eight hundred and twenty three come again into the Court of Appeals here as well the said appellants by their attorney aforesaid as the said John Turner by Alexander C. Magruder and Nicholas Brewer his attorneys whereupon as well the Record and proceedings aforesaid, and the decree given in form aforesaid, as the matters aforesaid by the said appellants 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 the decree aforesaid so as aforesaid given and rendered in the said Court of Chancery is not according to equity and good conscience and therefore it is manifestly erred. Therefore it is adjudged ordered and decreed by the Court of Appeals here that the decree of the Court of Chancery given and rendered in form aforesaid be reversed annulled and held entirely as void and that the bill of complaint be dismissed. It is also adjudged ordered and decreed by the Court of Appeals here that the said appellants recover against the said John Turner the sum of four hundred and fourteen dollars and eighty six cents for their costs expended in and about their defence in the Court of Chancery and prosecuting their said appeal

of and upon the premises &c.

Test L. H. Harris clk

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Luther Martin
vs
Alexander McKenzie alias Alex. Frazier by John McKenzie his next friend and John McNeale administrator d.b.n. of Elinor Frazier use of John Glenn

Be it remembered. That now here on the first Monday in December being the third day of the said month in the year of our Lord one thousand eight hundred and twenty one the Chancellor of Maryland in pursuance of the directions of the act of assembly in such case made and provided, transmits to the Court of Appeals here the record of proceedings which was lately depending before him in the Court of Chancery between Alexander McKenzie alias Alex. Frazier by John McKenzie his next friend and John McNeale administrator debonis non of Elinor Frazier complainants and Luther Martin Charles Louis Siegfried and Charlotte his wife and Susan Lowson defendants and wherein the said Court of Chancery passed a decree for the said complainants against the said defendants and from which said decree the said Luther Martin appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following to wit [Copy Record bound up in liber T. H. No. A 37] And now come into the Court of Appeals here, as well the said Luther Martin in his proper person as the said Alexander McKenzie alias Alex. Frazier by John McKenzie his next friend and John McNeale administrator debonis non as aforesaid by Henry M. Murray and Robert G. Harper their attorneys and thereupon, on motion of the said appellees by their attorneys aforesaid, it is ruled by the Court here, that the said appellant assign the errors in the record of proceedings aforesaid, or in the giving the decree aforesaid, so as aforesaid brought before the Court of Appeals here, for correcting the errors supposed to be therein, or judgment by the Court of Appeals here will be entered against him in default thereof. And the said appellant in his proper person says that in the record of proceedings aforesaid, and also in the giving of the decree aforesaid, there is manifest error in this, to wit, that by the record aforesaid it appears that the decree aforesaid was given for the said appellees against the said appellant, when by the law of the land that the decree ought to have been given for the said appellant against the said appellees 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 appellant