here of and upon the premises for that the Court now here as yet are not &c.

At which said first monday in December being the first 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 the parties aforesaid by their attornies aforesaid. Thereupon further process of and upon the premises 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 fourteenth day of the said month in the year of our Lord one thousand eight hundred and twenty four come again into the Court of appeals here the parties aforesaid by their attornies aforesaid. Whereupon as well the record and proceedings aforesaid and the judgment given in form aforesaid as the matters aforesaid by the said John Right Lipes as aforesaid 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 judgment aforesaid. Therefore it is considered by the Court of Appeals here that the judgment aforesaid given in form aforesaid be in all things affirmed and stand 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 James P Soper have execution against the said John Right Lipes as aforesaid as well for the cost and charges aforesaid adjudged unto him in the said County Court of Anne arundel as also the sum of forty six dollars and ninty seven cents adjudged unto the said James P Soper by the Court of appeals here on his appeal for his cost and charges which he hath sustained by occasion of the delay of the execution of the judgment aforesaid by pretext of the prosecution of the said writ of the State of Maryland by the said John Right Lipes as aforesaid for the correcting of errors of and upon the premises as aforesaid prosecuted &c.

Memorandum. At the argument and decision of this case in the Court of appeals the Honourable John Stephen Judge withdrew from the bench.

Test Th Harris clk

Dennis D Howard
vs
Samuel Brown Jr.
Rachel Brown, Isaac
Paul and Mary his wife
Richard Owings and
George Howard of Brice

Be it remembered that now here on the 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 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 Dennis D Howard Complainant and Samuel Brown junior Rachel Brown Isaac Paul and Mary his wife Richard Owings and George Howard of Brice defendants and wherein the said Court of Chancery passed a decree for the said Samuel Brown Junior, Rachel Brown, Isaac Paul and Mary his wife Richard Owings and George Howard of Brice against the said Dennis D Howard and from which said decree the said Dennis D Howard appealed to the Court of Appeals here the tenor of which said record of proceedings is in form following to wit:

[Here copy record bound up in a book marked TH No AG]

And now come into the Court of Appeals here as well the said Dennis D Howard by Alexander Macgruder and Frederick A Schley his attornies as the said appellees by Thomas B Dorsey and Nicholas Brewer their attornies and thereupon on motion of the said appellees by their attornies aforesaid it is ruled by the Court here that the said Dennis D Howard 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 Dennis D Howard by his attorneys aforesaid 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 Dennis D Howard when by the law of the land that decree ought to have been given for the said Dennis D Howard 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 Dennis D Howard may be restored to all things which he hath lost by occasion of the said decree and that the said appellees may rejoin to the errors aforesaid and so forth. And thereupon it is ruled by the Court of appeals here that the said appellees join in the errors by the said Dennis D Howard above assigned in the record of proceedings aforesaid or judgment by the Court of appeals here will be rendered against them in default thereof. and the said appellees by their attornies 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