there is manifest error in this to wit that by the record aforesaid it appears that the decree aforesaid given was given for the said John Frey and Matthew Irvin against the said Jeremiah Brown and Thomas Rogers when by the law of the land that decree ought to have been given for the said Jeremiah Brown and Thomas Rogers against the said John Frey and Matthew Irvin therefore in that there is manifest error and they pray 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 they the said Jeremiah Brown and Thomas Rogers may be restored to all things which they have lost by occasion of the said decree and that the said John Frey and Matthew Irvin may rejoin to the errors aforesaid and so forth. And thereupon it is ruled by the Court of appeals here that the said John Frey and Matthew Irvin join in the errors by the said Jeremiah Brown and Thomas Rogers 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 John Frey and Matthew Irvin by their attorney aforesaid pray that a day may be given to them to join in the errors by the said Jeremiah Brown and Thomas Rogers above assigned in the record of proceedings aforesaid until the first monday in December next and to them it is granted the same day is also given to the said Jeremiah Brown and Thomas Rogers

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 which said day was given to the said John Frey and Matthew Irvin to join in the errors by the said Jeremiah Brown and Thomas Rogers above assigned come again into the Court of appeals here the parties aforesaid by their attornies aforesaid and the said John Frey and Matthew Irvin by their attorney 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 Jeremiah Brown and Thomas Rogers above for error assigned and that the said decree may be in all things affirmed and so forth. 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 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.

At which 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: 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 &c.

At which said first monday in December being the sixth 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 Thereupon further process of and upon the premises aforesaid between the parties aforesaid is by virtue of an act of assembly in such cases 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 thirteenth day of the said month in the year of our Lord one thousand eight hundred and twenty five come again into the Court of Appeals here as well the said Jeremiah Brown and Thomas Rogers by their attorney aforesaid as the said John Frey and Matthew Irvin by John S Tyson their attorney Whereupon as well the record and whole proceedings aforesaid and the decree thereupon given as the cause and matters aforesaid by the said Jeremiah Brown and Thomas Rogers above for error assigned being seen and by the Court of Appeals here diligently examined into and 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 is according to equity and good conscience and that there is no error either in the record and proceedings aforesaid or in the giving and rendering of the decree aforesaid Therefore it is adjudged ordered and decreed by the Court of appeals here that the decree aforesaid given and rendered in form aforesaid be in all things affirmed and stand in full force and effect the said cause and matters for error above assigned and alleged in any wise notwithstanding. And it is further adjudged ordered and decreed by the Court of appeals here that the said John Frey and Matthew Irvin have execution against the said Jeremiah Brown and Thomas Rogers as well for their costs and charges aforesaid adjudged unto them in the said Court of Chancery as also the sum of forty three dollars and sixty two cents adjudged unto the said John Frey and Matthew Irvin by the Court