June Term 1828.

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 George Coulson John McStemp, and William Bromwell Junior 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, as of the matters aforesaid, by the said Henry Herring 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 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.

At which said second Monday in June being the eleventh day of the said month in the year of our Lord, one thousand eight hundred and twenty 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 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 and so forth.

At which said first Monday in December being, the third day of the said month in the year of our Lord one thousand eight hundred and twenty seven, 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 ninth day of the said month, in the year of our Lord one thousand eight hundred and twenty eight, 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 Decree given in form aforesaid, as the matters aforesaid, by the said Henry Herring 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 Decree aforesaid. Therefore it is considered by the Court of Appeals here that the Decree 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 any wise notwithstanding: and it is further considered by the Court of Appeals here that the said George Coulson, John McStemp, William Bromwell Junior have execution against the said Henry Herring as well for the costs and charges aforesaid adjudged unto them in the said Court of Chancery as also the sum of one hundred and three dollars and fifty three cents adjudged unto the said George Coulson, John McStemp and William Bromwell Junior by the Court of Appeals here, on their assent for their costs and charges which they sustained by occasion of the delay of the execution of the Decree aforesaid, by pretext of the prosecution of the said appeal by the said Henry Herring for the amending of errors, of and upon the premises as aforesaid prosecuted &c. Test. Thos. Harris clk.

June Term 1828.

Elizabeth Murdock vs William Brewer. } Be it remembered, that now here on the first Monday in December being the fourth day of the said month in the year of our Lord one thousand eight hundred and twenty seven, 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 of a plea which was lately depending before him in the Court of Chancery between William Brewer complainant, and Elizabeth Murdock defendant, and wherein the said Court of Chancery passed a decree for the said William Brewer against the said Elizabeth Murdock, and from which said decree the said Elizabeth Murdock appealed to the Court of Appeals here, the tenor of which said record of proceedings ensueth following to wit

(See record bound up in Book T.H. No. 1.)

And now come into the Court of Appeals here, as well the said Elizabeth Murdock by Joseph I. Speed and James F. Brice her attornies, as the said William Brewer by Nicholas Brewer Junior his attorney; and thereupon, on motion of the said William Brewer by his attorney aforesaid, it is ruled by the Court here, that the said Elizabeth Murdock 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 her in default thereof: And the said Elizabeth Murdock by her attornies aforesaid, says that in the record of proceedings aforesaid, and also in the giving of Decree aforesaid, there is manifest error in this to wit, that by the record aforesaid it appears that the decree aforesaid in the plea aforesaid given, was given for the said William Brewer against the said Elizabeth Murdock when by the law of the land that decree ought to have been given for the said Elizabeth Murdock against the said William Brewer therefore in that there is manifest error: and she 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 she the said Elizabeth Murdock may be restored to all things which she hath lost by occasion of the said Decree, and that the said William Brewer may rejoin to the errors aforesaid, and so forth: And thereupon it is ruled by the Court of Appeals here, that the said William Brewer join in the errors by the said Elizabeth Murdock above assigned in the record of proceedings aforesaid, or judgment by the Court of Appeals here will be rendered against him in default thereof. And the said William Brewer by his attorney aforesaid says, there is no error in the record of proceedings aforesaid, nor in the giving of the Decree aforesaid, and he prays 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 Elizabeth Murdock 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 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.

At which said second Monday in June being the eleventh day of the said month, in the year of our Lord one thousand eight hundred and twenty 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 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 and so forth.

At which said first Monday in December being the third day of the said month in the year of our Lord one thousand eight hundred and twenty seven, come again into the Court of Appeals here the parties aforesaid, by their attornies aforesaid: But