mature deliberation thereupon had: for that it appears to the Court of Appeals here, that there is error in the record of proceedings aforesaid, and also in the giving of the Decree aforesaid: Therefore the said Court of Appeals proceeded to pass such a Decree as the Court of Chancery ought to have passed

This cause having been argued by the Counsel concerned for the parties, the Bill answer and proceedings in the case have been read and with the arguments of the Counsel fully considered by the Court of Appeals and for that it appears that the order of the Court of Chancery is not according to Equity and good conscience — It is thereupon this twenty fourth day of June 1829 adjudged ordered and decreed by the Court of Appeals that the order of the Chancellor of the twenty fifth of June 1828, ratifying the Auditors Statement making a ratiable distribution of the proceeds of sale of the Mortgage premises between Elizabeth Edwards and the President and Directors of the Union Bank of Maryland so far as regards the application of the fund to the payment of Stansbury's notes negotiated at said Bank be reversed, annulled and held entirely as void, and that the appellants recover against the said appellees their costs in this Court on their appeal with the costs of the Copy of the proceedings transmitted under this appeal.

It is further adjudged ordered and decreed that the residue of the said order of the 25th of June 1828 — so far as it ratifies the residue of said statement be in all things affirmed and stand in full force and effect.

It is further adjudged ordered and decreed by the Court of Appeals that the trustee in the proceedings mentioned pay to the appellants the residue of said proceeds of sale on account of William Stansbury's note to them for eight thousand seven hundred dollars —

Test. John Johnson Clk.

Launcelot Warfield
vs.
Lydia Gambrill and
Beverly Johnson for costs.

Be it remembered. That now here on the second monday in June, being the eleventh day of the same 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 cause which was lately depending before him, in the Court of Chancery between Launcelot Warfield complainant, and Lydia Gambrill defendant, and wherein the said Court of Chancery passed a decree for the said Lydia Gambrill against the said Launcelot Warfield and from which said decree the said Launcelot Warfield appealed to the Court of Appeals here, the tenor of which said record of proceedings is in form following to wit:

(See record bound up in Book J.H. No. A.O.)

And now come into the Court of Appeals here, as well the said Launcelot Warfield by Alexander C. Magruder and James Shaw his attorneys, as the

said Lydia Gambrill by Joseph I. Speed her attorney; and thereupon, on motion of the said Lydia Gambrill by her attorney aforesaid, it is ruled by the Court here, that the said Launcelot Warfield assign the errors in the record of proceedings aforesaid, or in the giving the decree aforesaid 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 Launcelot Warfield by his attorneys 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 Lydia Gambrill against the said Launcelot Warfield; whereby the law of the land that Decree ought to have been given for the said Launcelot Warfield against the said Lydia Gambrill therefore in that there is manifest error, and he prays that the judgment 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 Launcelot Warfield may be restored to all things which he hath lost by occasion of the said Decree and that the said Lydia Gambrill may rejoin to the errors aforesaid, and so forth: And thereupon it is ruled by the Court of Appeals here, that the said Lydia Gambrill join in the errors by the said Launcelot Warfield above assigned in the record of proceedings aforesaid, or judgment by the Court of Appeals here will be rendered against her in default thereof. And the said Lydia Gambrill by her attorney aforesaid, prays that a day may be given to her to join in the errors by the said Launcelot Warfield above assigned in the record of proceedings aforesaid, until the first Monday in December next: and to her it is granted: the same day is also given to the said Launcelot Warfield likewise.

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, which said day was given to the said Lydia Gambrill to join in the errors by the said Launcelot Warfield above assigned, come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid; and the said Lydia Gambrill by her attorney aforesaid, says there is no error in the record of proceedings aforesaid, nor in the giving of the Decree aforesaid, and she 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 Launcelot Warfield 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.