Andrew Aldridge and Benjamin D. Higdon vs William Weems and Thomas I. Hall

Be it remembered, that now here on the 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, 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 Andrew Aldridge and Benjamin D. Higdon complainants, and William Weems and Thomas I. Hall defendants, and wherein the said Court of Chancery passed a Decree for the said William Weems and Thomas I. Hall against the said Andrew Aldridge and Benjamin D. Higdon and from which said Decree the said Andrew Aldridge and Benjamin D. Higdon 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 Andrew Aldridge and Benjamin D. Higdon by Alexander C. Magruder their attorney, as the said William Weems and Thomas I. Hall by James Shaw and Somerville Pinkney their attorneys: and thereupon, on motion of the said William Weems and Thomas I. Hall by their attorneys aforesaid, it is ruled by the Court here, that the said Andrew Aldridge and Benjamin D. Higdon assign the errors in the record of proceedings aforesaid, or in the giving the judgment 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 them in default thereof: And the said Andrew Aldridge and Benjamin D. Higdon by their attorney aforesaid, say, 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 Weems and Thomas I. Hall against the said Andrew Aldridge and Benjamin D. Higdon when by the law of the land that Decree ought to have been given for the said Andrew Aldridge and Benjamin D. Higdon against the said William Weems and Thomas I. Hall, 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 Andrew Aldridge and Benjamin D. Higdon may be restored to all things which they have lost by occasion of the said Decree and that the said William Weems and Thomas I. Hall may rejoin to the errors aforesaid, and so forth: And thereupon it is ruled by the Court of appeals here, that the said William Weems and Thomas I. Hall join in the errors by the said Andrew Aldridge and Benjamin D. Higdon 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 William Weems and Thomas I. Hall by their attorneys aforesaid, pray that a day may be given to them to join in the errors by the said Andrew Aldridge and Benjamin D. Higdon 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 Andrew Aldridge and Benjamin D. Higdon.

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 William Weems and Thomas I. Hall to join in the errors by the said Andrew Aldridge and Benjamin D. Higdon above assigned, come again into the Court of appeals here, the parties aforesaid, by their attorneys aforesaid: and the said William Weems and Thomas I. Hall by their attorneys 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 Andrew Aldridge and Benjamin D. Higdon 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 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 attorneys aforesaid: But because the Court of appeals here are not yet advised what judgment to give of and upon the premises, day therefore is further given to the parties aforesaid, with the consent of the said parties, by their attorneys 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 first 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 attorneys 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 eighth day of the said month, in the year of our Lord one thousand