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 John McCauley, James McCauley, Thomas McCauley, Hannah McCauley and Margaret McCauley by their attornies aforesaid, say that in the record of proceedings aforesaid, and also in the giving of judgment aforesaid, there is manifest error in this Court, that by the record aforesaid, it appears that the judgment aforesaid in the plea aforesaid given, was given for the said James Grimes and Catharine his wife against the said John McCauley, James McCauley, Thomas McCauley, Hannah McCauley and Margaret McCauley whereby the law of the land that judgment ought to have been given for the said John McCauley James McCauley, Thomas McCauley, Hannah McCauley and Margaret McCauley against the said James Grimes and Catharine his wife, therefore in that there is manifest error: and they pray 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 they the said John McCauley James McCauley, Thomas McCauley, Hannah McCauley and Margaret McCauley may be restored to all things which they have lost by occasion of the said judgment, and that the said James Grimes and Catharine his wife may rejoin to the errors aforesaid, and so forth: And thereupon it is ruled by the Court of Appeals here, that the said James Grimes and Catharine his wife join in the errors by the said John McCauley, James McCauley, Thomas McCauley, Hannah McCauley and Margaret McCauley 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 James Grimes and Catharine his wife by their attorney aforesaid, say there is no error in the record of proceedings aforesaid, nor in the giving of the judgment 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 John McCauley, James McCauley, Thomas McCauley, Hannah McCauley and Margaret McCauley above for error assigned, and that the said judgment 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 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 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 attornies aforesaid: Thereupon further process of and upon the premises aforesaid, between the parties aforesaid, 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 eighth day of the said month in the year of our Lord one thousand eight hundred and twenty nine, 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, before the Court of Appeals here, until 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 seventh day of the said month in the year of our Lord one thousand eight hundred and twenty nine, 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 given to the parties aforesaid, before the Court of Appeals here, until the second Monday in June next, to hear the judgment of the Court of Appeals here of and upon the premises, for that the Court now here, thereof are not advised, 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 thirty, come again into the Court of Appeals here the parties aforesaid by their attornies aforesaid. And the said parties by their attornies aforesaid filed in Court here the following agreement, to wit

McCauley vs Grimes & wife. | It is agreed that the record shall be amended by inserting in the case stated the fact that James Grimes intermarried with Catharine McCauley both appellees before the bringing of the action of dower in the Court below. Wm Price for Appellees. D.G. Vost for Appellants.

June 25th 1830.

Whereupon as well the record and proceedings aforesaid, and the judgment given in form aforesaid, as the matters aforesaid, by the said John McCauley, James McCauley, Thomas McCauley, Hannah McCauley, and Margaret McCauley 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 error in the record of proceedings aforesaid, and also in the giving of the judgment aforesaid: Therefore it is considered by the Court of Appeals here, that the judgment aforesaid, for those errors and others being in the record of proceedings aforesaid, be reversed, annulled, and held entirely as void, and that the said John McCauley, James McCauley, Thomas McCauley, Hannah McCauley and Margaret McCauley be restored to all things which by reason of the judgment aforesaid they have lost &c: It is further considered by the Court here that the said John McCauley, James McCauley, Thomas McCauley Hannah McCauley and Margaret McCauley have execution against the said James Grimes and Catharine his wife for the sum of adjudged unto the said John McCauley, James McCauley, Thomas McCauley, Hannah McCauley and Margaret McCauley by the Court of Appeals here, on their account, for their costs and charges by them sustained about the prosecution of their said appeal of and upon the premises as aforesaid prosecuted, and so forth.

Memorandum. At the argument and trial of this cause the Honorable John Buchanan withdrew from the Bench.

Test. John Johnson Clk