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 James Lamar, 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. 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 Gerard T. Hopkins, Benjamin P. Moore and Samuel Childs by their attorney aforesaid, offer themselves against the said James Lamar of and upon the premises, and pray that the Court of Appeals here will proceed to the examination as well of the record of proceedings aforesaid, as of the matters above for error assigned, and that the said Decree may be in all things affirmed and so forth: and for as much as the said James Lamar doth not allege to the Court of Appeals here, any matter or thing for the reversal of the Decree aforesaid, nor insist upon the matters aforesaid by him above for error assigned: therefore it is considered by the Court of Appeals here, that the Decree aforesaid, in form aforesaid given, be in all things affirmed, and stand in full force and effect, the said causes above for error assigned, in anywise notwithstanding: and it is further considered by the Court of Appeals here, that the said Gerard T. Hopkins, Benjamin P. Moore and Samuel Childs have execution against the said James Lamar as well for the costs and charges aforesaid, so as aforesaid adjudged unto them in the said Court of Chancery as also for the sum of seventy five dollars and ninety three cents adjudged unto them by the Court of Appeals here, on their appeal for their costs and charges which they have 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 James Lamar for the correcting of errors of and upon the premises as aforesaid prosecuted and so forth:

Memorandum. Decree was affirmed nisi in this case and made absolute on the fifteenth day of July eighteen hundred and thirty

Test. John Johnson Clk

Benedict Pierpoint
vs
Walter Pierpoint, Richard Roloson and Margaret his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers.

Be it remembered, that now here on the 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 the Chancellor of Maryland, in pursuance of the direction of the act of assembly in such case made and provided, transmits to the Court of Appeals here the record of proceedings of a certain cause which was lately depending before him in the Court of Chancery between Benedict Pierpoint complainant, and Walter Pierpoint, Richard Roloson and Margaret his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers defendants, and wherein the said Court of Chancery passed a Decree for the said Walter Pierpoint, Richard Roloson and Margaret

his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers against the said Benedict Pierpoint and from which said Decree the said Benedict Pierpoint 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 D.C. No. 42.)

And now come into the Court of Appeals here, as well the said Benedict Pierpoint by Nicholas Brewer Junior his attorney, as the said Walter Pierpoint, Richard Roloson and Margaret his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers by Samuel Moale and James Boyle their attornies: and thereupon on motion of the said Walter Pierpoint Richard Roloson and Margaret his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers by their attornies aforesaid, it is ruled by the Court here, that the said Benedict Pierpoint 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 concerning 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 Benedict Pierpoint by his attorney 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 Walter Pierpoint, Richard Roloson and Margaret his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers against the said Benedict Pierpoint, when by the law of the land that Decree ought to have been given for the said Benedict Pierpoint against the said Walter Pierpoint, Richard Roloson and Margaret his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers, therefore in that there is manifest error: and he 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 he the said Benedict Pierpoint, may be restored to all things which he hath lost by occasion of the said Decree, and that the said Walter Pierpoint Richard Roloson and Margaret his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers may reply to the errors aforesaid and so forth: And thereupon it is ruled by the Court of Appeals here that the said Walter Pierpoint, Richard Roloson and Margaret his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers join in the errors by the said Benedict Pierpoint 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 Walter Pierpoint, Richard Roloson and Margaret his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers by their attorney aforesaid, pray that a day may be given to them to join in the error by the said Benedict Pierpoint 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 Benedict Pierpoint likewise. 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 which said day was given to the said Walter Pierpoint, Richard Roloson and Margaret his wife, Adam Wattemyer and Rachel his wife, Samuel Chase, Allen Thomas, Randall H. Moale and John H. Rogers to join in the errors by the said Benedict Pierpoint above assigned, come again into the Court of Appeals here the parties aforesaid, by their attornies aforesaid; and the said