making of said additional parties, proceed to hear and decree anew in said case in like manner as if said parties had been made to the original bill. And it is further adjudged ordered and decreed that after said amendment either party complainant or defendants may be at liberty to produce such other and further proof as may be necessary to bring the merits of the case fairly to trial before said county court. And it is also adjudged, ordered and decreed that each party in this court pay his own costs accruing upon the present appeal, and that the costs in the court below await the final decision of said case."

And thereupon the court here, pursuant to the directions of the act of assembly in such case lately made and provided, order and direct a remission of the record and proceedings aforesaid to the clerk of the said county court of Washington sitting as a court of Equity, with the rule of the Chancellor of Maryland of procedendo to the said county court sitting as aforesaid, directing them to proceed in the action aforesaid, and to a new trial thereof in the same manner as if no trial had taken place, or any appeal had been prosecuted &c.

The record and proceedings aforesaid with the rule of procedendo is therefore remitted to the clerk of the county court of Washington sitting as a court of Equity accordingly &c.

Test.

John Johnson Clk.

William C. Hungerford
vs
Dorcas G. Bourne

Be it remembered, that now here on the 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, the Chancellor of Maryland in pursuance of the directions of the act of assembly in such case made and provided, transmit 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 Dorcas G. Bourne complainant and William C. Hungerford defendant, and wherein the said court of Chancery passed a decree for the said Dorcas G. Bourne against the said William C. Hungerford, and from which said decree the said William C. Hungerford 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. J. No. A. R.

And now come into the court of appeals here, as well the said William C. Hungerford by Roger B. Taney and James Boyle his attornies, as the said Dorcas G. Bourne by Alexander C. Magruder and Nicholas Brewer Junior

her attornies: and thereupon, on motion of the said Dorcas G. Bourne by her attorneys aforesaid, it is ruled by the court here, that the said William C. Hungerford 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 him in default thereof: And the said William C. Hungerford by his attornies aforesaid, says that in the record of proceedings aforesaid and also in the giving of judgment 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 Dorcas G. Bourne against the said William C. Hungerford, when by the law of the land that decree ought to have been given for the said William C. Hungerford against the said Dorcas G. Bourne, 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 William C. Hungerford may be restored to all things which he hath lost by occasion of the said decree, and that the said Dorcas G. Bourne may rejoin to the errors aforesaid and so forth: And thereupon it is ruled by the court of Appeals here, that the said Dorcas G. Bourne join in the errors by the said William C. Hungerford 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 Dorcas G. Bourne by her attornies aforesaid, prays that a day may be given to her to join in the errors by the said William C. Hungerford 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 William C. Hungerford likewise &c.

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, which said day was given to the said Dorcas G. Bourne to join in the errors by the said William C. Hungerford above assigned, come again into the court of appeals here the parties aforesaid, by their attornies aforesaid; and the said Dorcas G. Bourne by her attornies 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 William C. Hungerford 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