hundred and thirty one, by this Court adjudged, ordered and decreed that the order of the Chancellor passed in this cause on the ninth day of November eighteen hundred and twenty nine be and the same is hereby reversed with costs. And the cause is hereby remanded to the Court of Chancery, that such order and proceeding may be had therein, as shall be necessary to carry into effect this decree

Test John Johnson Clk.

John Roberts, Isaac G Roberts and John Gording. use John Donnell & Sons

vs

John A Giles, and Elizabeth his wife, Anna Black by Nicholas Smith her next friend, Ann Elizabeth Salisbury and James Salisbury by James Salisbury their next friend, Susan Black, and Gustavus Black by Nathaniel Comegys their next friend, Elizabeth Black and Caroline Black by Margaret Black their next friend

Be it remembered, That now here on the 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 the Chancellor of Maryland in pursuance of the directions of the act of Assembly in such cases 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 James Salisbury and others complainants, and John Roberts, Isaac G Roberts and John Gording defendants, and wherein the said Court of Chancery passed a decree for the said James Salisbury and others against the said John Roberts, Isaac G Roberts and John Gording, and from which said decree, the said John Roberts, Isaac G Roberts and John Gording, 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 Books J J & A J.)

And now come into the Court of Appeals here, as well the said John Roberts, Isaac G Roberts and John Gording by John Glenn and Richard B Magruder their attorneys, as the said James Salisbury and others by Ezekiel F Chambers their attorney: and thereupon, on motion of the said James Salisbury and others by their attorney aforesaid, it is ruled by the Court here, that the said John Roberts, Isaac G Roberts and John Gording assign the errors in the record of proceedings, or in the giving the decree aforesaid so as aforesaid brought before the Court of Appeals here, for correcting the errors supposed to be therein or decreed by the Court of Appeals here will be entered against them in default thereof: And the said John Roberts, Isaac G Roberts and John Gording by their attorneys 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 James Salisbury and others against the said

John Roberts, Isaac G Roberts and John Gording, which by the law of the land said decree ought to have been given for the said John Roberts, Isaac G Roberts and John Gording against the said James Salisbury and others, therefore in that there 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 utterly as void, and that they the said John Roberts, Isaac G Roberts and John Gording may be restored to all things which they have lost by occasion of the said decree, and that the said James Salisbury and others, may rejoin to the errors aforesaid and so forth: And thereupon it is ruled by the Court of Appeals here, that the said James Salisbury and others join in the errors by the said John Roberts, Isaac G Roberts and John Gording above assigned in the record of proceedings aforesaid, or decree by the Court of Appeals here will be rendered against them in default thereof: And the said James Salisbury and others by their attorneys aforesaid, pray that a day may be given to them to join in the errors by the said John Roberts, Isaac G Roberts and John Gording above assigned in the record of proceedings aforesaid, until the second Monday in June next, and to them it is granted; the same day is also given to the said John Roberts, Isaac G Roberts and John Gording likewise and so forth.

At which 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, which said day was given to the said James Salisbury and others to join in the errors by the said John Roberts, Isaac G Roberts and John Gording above assigned, come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid: and the said James Salisbury and others 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 John Roberts, Isaac G Roberts and John Gording 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 cases made and provided, further continued before the Court of Appeals here until the first Monday in December 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 first Monday in December being the sixth 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 attorneys 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 attorneys aforesaid, to come before the Court of Appeals here