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At which said first Monday in December being the fifth day of the said month, in the year of our Lord one thousand eight hundred and thirty one which said day was given to the said John M'Kalet to join in the errors by the said Margaret Harris above assigned, come again into the Court of Appeals here the parties aforesaid, by their attorneys aforesaid; and the said John M'Kalet by his attorney aforesaid says, there is no error in the record of proceedings aforesaid, nor in the giving of the decree aforesaid, and he 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 Margaret Harris 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, then there 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 eleventh day of the said month, in the year of our Lord one thousand eight hundred and thirty two come again into the Court of Appeals here the parties aforesaid, by their attorneys aforesaid. Whereupon as well the record and proceedings aforesaid, and the decree given in form aforesaid, as the matters aforesaid by the said Margaret Harris 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 in the giving of the decree aforesaid. Therefore it is considered by the Court here that the decree aforesaid, for these errors and others being in the record of proceedings aforesaid, be reversed, annulled and held entirely as void, and that the record and proceedings aforesaid, with all things thereunto relating be remanded to the County Court of Frederick sitting as a Court of Equity for further proceedings. and the said Margaret Harris be restored to all things which by reason of the decree aforesaid she hath lost, and it is also considered by the Court here, that the said Margaret Harris recover against the said John M'Kalet the sum of thirty four dollars and ten cents, adjudged unto the said Margaret Harris, for her costs and charges by her sustained about the prosecution of her said appeal of and upon the premises as aforesaid prosecuted, and that the said Margaret Harris have thereof execution and so forth.

Test — John Johnson Clk.

Catharine M'Crea
vs
George Rutter & Mary his wife
John Fensler, John Lamm and
Nancy his wife

Be it remembered, That now here on the second Monday in June being the fourteenth day of the said month, in the year of our Lord, one thousand eight hundred and thirty, the Chief Judge and Associate Judges of the Fifth Judicial District of Maryland sitting as a Court of Equity

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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 them in the County Court of Washington sitting as aforesaid between George Rutter and Mary his wife, John Fensler, John Lamm and Nancy his wife complainants and Catharine M'Crea defendant, and wherein the said County Court sitting as a Court of Equity, passed a decree for the said George Rutter and Mary his wife, John Fensler, John Lamm and Nancy his wife against the said Catharine M'Crea, and from which said decree the said Catharine M'Crea 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 JJ No. 4 W.)

And now come into the Court of Appeals here, as well the said Catharine M'Crea by William Price her attorney, as the said George Rutter and Mary his wife, John Fensler, John Lamm and Nancy his wife by Franklin Anderson and Michael W. Randall their attorneys; and thereupon on motion of the said George Rutter and Mary his wife, John Fensler and John Lamm and Nancy his wife by their attorneys aforesaid, it is ruled by the Court here, that the said Catharine M'Crea assign the errors in the record of proceedings aforesaid, 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 judgment by the Court of Appeals here will be entered against her in default thereof. And the said Catharine M'Crea by her 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 George Rutter and Mary his wife, John Fensler, John Lamm and Nancy his wife against the said Catharine M'Crea, when by the law of the land that decree ought to have been given for the said Catharine M'Crea against the said George Rutter and Mary his wife, John Fensler, John Lamm and Nancy his wife, wherefore in that there is manifest error, and she 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 she the said Catharine M'Crea may be restored to all things which she hath lost by occasion of the said decree, and that the said George Rutter and Mary his wife, John Fensler, John Lamm and Nancy 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 George Rutter and Mary his wife, John Fensler, John Lamm and Nancy his wife join in the errors by the said Catharine M'Crea 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 George Rutter and Mary his wife, John Fensler, John Lamm and Nancy his wife by their attorneys aforesaid, pray that a day may be given to them to join in the errors by the said Catharine M'Crea 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 Catharine M'Crea &c.