error assigned, and that the said decree may be in all things affirmed and 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 & 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, and upon the said premises and so forth.

And now to this day, to wit, the said second Monday in June being the Eighth day of the said Month, in the year of our Lord one thousand, Eight hundred, & thirty Five 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 Joseph Stewart, above for errors 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 the Court of Appeals here, proceeded to pass such a decree, as the Court of Chancery should have passed, and which is as follows.

Joseph Stewart & others (vs) James Sykhart.

Court of Appeals.
June Term 1835.

This case standing ready for hearing and being submitted on the argument of Counsel the proceedings were read & considered and it appearing that there is manifest error in the decree of the Chancellor in this case, in this that the conveyance from the appellant Joseph Stewart & his late wife to Richard Stewart is fraudulent and void, as against the said Maria in her life time and her children & heirs at law. the appellants Elizabeth Ann Stanford Secretia Stanford. Elenor Stewart & Maria Stewart.

It is therefore this third day of July 1835 by this Court adjudged ordered and decreed that the aforesaid decree of the Chancellor be and the same is hereby reversed with the costs to the appellants. Elizabeth Ann Stanford, Secretia Stanford. Elenor Stewart & Maria Stewart, reversed by them in this court, and in the court of Chancery. And it being suggested to this court here. and admitted by the counsel of the parties, that the premises in the proceedings mentioned, have been sold in part execution of the aforesaid decree, and that the proceeds of sale thereof, are in the hands of the trustee, it is further adjudged and ordered that this cause be and the same is hereby remanded to the Court of Chancery with authority to apply, much of the proceeds of said sale as may be equal to the value, of the estate for life, of the said Joseph Stewart in the premises aforesaid at the time of said sale, with a due proportion of the interest received by the trustee, to the payment of the allowance of the trustee for his Commission and Expenses the appellants costs as aforesaid & the claim of Jas. Sykhart the appellee — — — — — and the residue of the value of said Life estate to be made payable to the said Richard Stewart. The balance of the proceeds of sale to be distributed amongst the appellants Elizabeth Ann. Stanford, Secretia Stanford Elenor Stewart & Maria Stewart. And that the chancellor have full power & authority to pass such orders and decrees as may be necessary to carry this decree into execution

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And it is further ordered & decreed, that so much of the decree of the Chancellor as is not inconsistant with this decree, be affirmed with costs as against the appellants Joseph Stewart.

Test John Johnson Clk

J. J. Vanderkemp Extr of Paul Austin, Philip S. Sechleitner and Gerard Shoots (vs) The Cape Sable Company Robert Oliver & others,	Be it remembered, that now there on the first Monday in December being the third day of the said Month in the year of our Lord one thousand Eight hundred & thirty five the Chancellor of Maryland, in pursuance of the directions of the act of Assembly in such case made and provided, transmits to the Court of Appeals here the record of proceedings in a certain cause, which was lately depending before him, in the Court of Chancery between J. J. Vanderkemp Executor of Paul Austin, Philip S. Sechleitner and Gerard Shoots complainants and the Cape Sable Company Robert Oliver & others, Defendants. and wherein the said Court of Chancery passed a decree, for the said Cape Sable Company Robert Oliver & others against the said J. J. Vanderkemp Extr as aforesaid and Philip S. Sechleitner and Gerard Shoots, and from which said decree the said J. J. Vanderkemp Extr as aforesaid, Philip S. Sechleitner and Gerard Shoots appealed to this 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 13)

And now come into the Court of Appeals here, as well the said J. J. Vanderkemp. Extr of Paul Austin, Philip S. Sechleitner & Gerard Shoots, by Charles J. Mayer their attorney, as the said Cape Sable Company. Robert Oliver and others. by Sam. Moale. Reverdy Johnson and Thomas S. Alexander their Attorneys and thereupon, on motion of the said Cape Sable Company. Robert Oliver and others by their attorneys aforesaid, it is ruled by the Court here that the said J. J. Vanderkemp. Extr as aforesaid, Philip S. Sechleitner and Gerard Shoots 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 him in default thereof. And the said J. J. Vanderkemp Extr as aforesaid Philip S. Sechleitner and Gerard Shoots, by their attorney 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 cause aforesaid given was given for the said Cape Sable Company. Robert Oliver & others, against the said J. J. Vanderkemp. Extr as aforesaid, Philip S. Sechleitner and Gerard Shoots, when by the law of the land, that ought to have been given for the said J. J. Vanderkemp Extr as aforesaid. Philip S. Sechleitner & Gerard Shoots, may be restored to all things which they have lost by occasion of the said decree, and that the said Cape Sable Company Robert Oliver 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 Cape Sable Company. Robert Oliver and others. join in the errors by

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