Record of proceedings aforesaid, or on the giving the judgment aforesaid is not aforesaid ought before the Court of Appeals, by law correctly 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 Henry S Mitchell Lessee by his Attorneys 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 judgment aforesaid in the plea aforesaid was given for the said Sarah E Mitchell against the said Henry A Mitchell's Lessee when by the law of the land the said judgment ought to have been given for the said Henry S Mitchell's Lessee against the said Sarah E Mitchell therefore in that there is manifest error and he prays that the judgment aforesaid for that error and others being in the Record of proceedings may be reversed annulled and held for nought and that the said Henry S Mitchell Lessee may be restored to all things which he hath lost by occasion of the said judgment and that the said Sarah E Mitchell may return to the Errors aforesaid and forsoth an thereupon demanded by the Court of Appeals here that the said Sarah E Mitchell join in the errors by the said Henry S Mitchell's Lessee also assigned in the Record proceedings aforesaid or judgment by the Court of Appeals here will be rendered against her in default thereof And the said Sarah E Mitchell by her Attorney aforesaid prays that a day may be given to her to join in the Errors by the said Henry S Mitchell's Lessee also assigned in the Record of proceedings aforesaid which the First Monday in June next, and to her Defendants the same day is also given to the said Henry S Mitchell's Lessee then &c Which said First Monday in June being the 2d day of the said month in the year of our Lord 1860 which said day was given to the said Sarah E Mitchell to join in the errors by the said Henry S Mitchell's Lessee also assigned came again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid and the said Sarah E Mitchell by her Attorney aforesaid says there is no error in the Record of proceedings aforesaid nor in the giving of the judgment aforesaid and 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 Henry S Mitchell's Lessee also for error assigned and that the said judgment may be in all things affirmed and forsoth. 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 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 premises and forsoth

And at said First Monday in December being the 3d day of the said month in the year of our Lord 1860 came again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid, that 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 on the 1st Monday in June next to hear the judgment of the Court of Appeals here of and upon

the premises for that the Court here are not yet advised &c

At which said 1st Monday of June being the 3d day of the said month in the year of our Lord 1861 came again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid that 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 before the Court of Appeals here until the 1st Monday in December next to hear the judgment of the Court here of and upon the premises for that the Court here are not yet &c.

At which said First Monday in December being the 2d day of the said month in the year of our Lord 1861 came 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 before the Court of Appeals here until the 1st Monday in June next to hear the judgment of the Court of Appeals here of and upon the premises. For that the Court here are not yet &c

And now at this day to wit the said 1st Monday of June being the second day of the said month in the year of our Lord 1862 came again into the Court of Appeals here the parties aforesaid by their Attorneys aforesaid. Whereupon as well the Record and proceedings aforesaid and the judgment given in pursuance aforesaid by the said Henry S Mitchell's Lessee also for Error assigned being seen and by the Court of Appeals here fully understood and matters deliberately had, for that it appears to the Court of Appeals here that there is error in the Record of proceedings aforesaid and also in the giving of the judgment aforesaid. Therefore it is considered by the Court of Appeals here that the judgment aforesaid given in June aforesaid for that error and others in the Record and proceedings aforesaid be reversed annulled and held for nought and that the said Henry S Mitchell's Lessee be restored to all things which by reason of the judgment aforesaid he hath lost, and because it appears to the Court here that justice and the Rights of the case require that there should be a new trial of the issue aforesaid therefore the Court here according to the directions of the Legislative Assembly in such case made and provided order and direct a transmission of the Record and proceedings aforesaid to the Clerk of the said Court of Baltimore City with the seal of the State of Maryland affixed to the said Superior Court directing them to proceed in the matter aforesaid and to try the same in the same manner as if no trial had taken place and appeal had been prosecuted. It is also considered by the Court here that the said Henry S Mitchell's Lessee recover against the said Sarah E Mitchell the sum of One Hundred and twenty dollars and twenty cents by the Court here adjudged with the said Henry S Mitchell's Lessee in his assent for his costs and charges by him laid out and expended about his prosecution of the appeal aforesaid and that they the said Henry S Mitchell's Lessee have thereof Execution &c and the Record and proceedings aforesaid with