taken from the record of proceedings of the Court of Common Pleas, in the therein entitled cause.

In testimony whereof, I hereunto set my (Seal's Place.) hand and affix the seal of the Court of Common Pleas, on this eighth day of July, in the year of our Lord one thousand eight hundred and eighty-four.

J. Freeman Rains,
Clerk.

And now come into the Court of Appeals here, as well the said Francis E. F. Waltemeyer by Messrs Sabastian Brown and Abraham Sharp his Attorneys as the said Mary Ann Baughman &c by Isidor Rayner Esq, their Attorney and thereupon, on motion of the said Mary Ann Baughman &c by their Attorneys aforesaid, it is ruled by the Court here, that the said Francis E. F. Waltemeyer assign the errors in the Record of Proceedings, 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 F. E. F. Waltemeyer 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 given, was given for the said Mary Ann Baughman &c against the said F. E. F. Waltemeyer when, by the law of the land, that judgment ought to have been given for the said F. E. F. Waltemeyer against the said Mary Ann Baughman &c. 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 aforesaid, may be reversed, annulled, and held entirely as void, and that he the said F. E. F. Waltemeyer may be restored to all things which he hath lost by occasion of the said judgment and that the said Mary Ann Baughman &c. may reply to the errors aforesaid, and so forth; and thereupon it is ruled by the Court of Appeals here, that the said Mary Ann Baughman, &c join in the errors by the said Francis E. F. Waltemeyer 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 Mary Ann Baughman &c by their Attorney aforesaid, say there is no error in the Record of Proceedings aforesaid, nor in the giving of the judgment 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 Francis E. F. Waltemeyer above for error assigned, and that the said judgment 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, continued before the Court of Appeals here, until the first Monday in October 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.

And now at this day, to wit, the said first Monday in October, being the sixth day of the said month, in the year of our Lord one thousand eight hundred and eighty