And now come, into the Court of Appeals here, as well the said George C M'Coull by John Nelson, Charles F. Mayer, William F Ward and James Murray his attorneys, as the said Robert M'Coull & Margaret his wife & others by John Glenn and James Mason Campbell their attorneys and thereupon, on motion of the said Robert M'Coull & Margaret his wife & others by their attorneys aforesaid, it is ruled by the Court here, that the said George C M'Coull 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 George C M'Coull by his attorneys 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 cause aforesaid given, was given for the said Robert M'Coull and Margaret his wife and others against the said George C M'Coull when by the law of the land, that Decree ought to have been given for the said George C M'Coull against the said Robert M'Coull & Margaret his wife & others therefore in that there is manifest error, and he 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 he the said George C. M'Coull may be restored to all things which he hath lost by occasion of the said Decree and that the said Robert M'Coull & Margaret his wife & others may rejoin to the errors aforesaid, and so forth. And thereupon it is ruled by the Court of Appeals here, that the said Robert M'Coull & Margaret his wife & others join in the errors by the said George C M'Coull 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 Robert M'Coull & Margaret his wife & others by their attorneys aforesaid, pray that a day may be given to them to join in the errors by the said George C M'Coull 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 George C M'Coull. At which said second Monday in June being the tenth day of the said month, in the year of our Lord one thousand eight hundred and forty four which said day was given to the said Robert M'Coull & Margaret his wife and others to join in the errors by the said George C M'Coull above assigned, come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid; and the said Robert M'Coull & Margaret his wife & 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 George C M'Coull 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 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 the said premises, and so forth. And now at this day, to wit, the said first Monday in December being the second day of the said month, in the year of our Lord one thousand eight hundred and forty four come again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid. And the said parties by their attornies aforesaid file in the Court of Appeals here, the two following agreements and which are in the words & figures to wit.

M'Coull, vs. M'Coull, } In the Court of Appeals. Dec. Term 1844.
It is agreed between the parties to this cause that Exhibit B, referred to in the 2nd answer of Alexander B Wolfe Esquire (Record fo. 20) is the same paper, marked Exhibit B and to be found on folios 22, 23, of the Record and that its date is Baltimore January 3d 1831, and that the Record shall be amended accordingly.

Wm. F. Ward.
Charles F. Mayer,
appellants Solrs
J. Glenn.
J. M. Campbell.
Solrs for appellees.

M'Coull, vs. M'Coull, } It is admitted that Robert M'Coull & wife was in possession of one of the houses & occupied it from January 1831 till this time.

J. Glenn, for appellee.
Charles F. Mayer for appellant,

Whereupon as well the record and proceedings aforesaid, and the Decree given in form aforesaid as the matters aforesaid, by the said George C M'Coull 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 also passing of the Decree aforesaid, Therefore the Court of Appeals here, proceeded to pass such a Decree as the Court of Chancery ought to have passed,

George C M'Coull, vs. Robert M'Coull, and wife & others, } Court of Appeals W. S. December Term 1844. No. 79. This cause coming out to be heard having been fully argued by Counsel and considered by the Court, It is thereupon this twenty seventh day of February in the year of our Lord one thousand eight hundred and forty five, By this Court, and by and with the authority thereof ordered adjudged and decreed that the decree of the Court of Chancery of the tenth day of July in the year eighteen hundred and forty three passed in this cause be and the same is hereby reversed with costs in this Court to the said appellant, and this Court doth hereby adjudge order and decree, that the parties to this cause account with each other of and concerning the matters in the proceedings mentioned and that upon such accounting the said George C M'Coull shall be charged with the rents issues and profits of the said property, recei-