by the Court here, that a transcript of the record and proceedings in the Cause aforesaid, with all things thereto relating, be transmitted to the next Court of Appeals, to be holden for the Western Shore of the State of Maryland; and the same are hereby transmitted accordingly &c.

In Testimony that the foregoing is a full and true Transcript, taken from the Record of proceedings of Baltimore County Court, in Equity, in the Cause therein mentioned. I hereto set my hand and affix the seal of said Court this Fifteenth day of October Anno Domini Eighteen hundred & fifty one.

Seal place

A. W. Bradford Clk
Balt. Coty Crt

And now came into the Court of Appeals here, as well the said John Mundorff and Mary his wife by G. L. Dulany Esquire their attorney, as the said Elbridge G. Kilbourn and Benjamin Howard by G. G. Kilbourn Esquire their attorney; and thereupon, on motion of the said Elbridge G. Kilbourn and Benjamin Howard by their attorney aforesaid, it is ruled by the Court here, that the said John Mundorff and Mary his wife 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 Decree by the Court of Appeals here will be entered against them in default thereof; and the said John Mundorff and Mary his wife 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 plea aforesaid given, was given for the said Elbridge G. Kilbourn and Benjamin Howard against the said John Mundorff and Mary his wife, when by the laws of the land, that Decree ought to have been given for the said John Mundorff and Mary his wife against the said Elbridge G. Kilbourn and Benjamin Howard, therefore in that there is manifest error, and they pray 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 they the said John Mundorff and Mary his wife may be restored to all things which they have lost by occasion of the said Decree, and that the said Elbridge G. Kilbourn and Benjamin Howard may rejoin to the errors aforesaid, and so forth. And thereupon it is ruled by the Court of Appeals here, that the said Elbridge G. Kilbourn and Benjamin Howard join in the errors by the said John Mundorff and Mary his wife above assigned in the record of proceedings aforesaid, or Decree by the Court of Appeals here will be rendered against them in default thereof. And the said Elbridge G. Kilbourn and Benjamin Howard by their attorney aforesaid, pray that a day may be given to them to join in the errors by the said John Mundorff and Mary his wife above

assigned in the record of proceedings aforesaid, until the First Monday in June next, and to them it is granted; the same day is also given to the said John Mundorff and Mary his wife then &c.

At which said first Monday in June being the seventh day of the said month, in the year of our Lord, one thousand, eight hundred and fifty two which said day was given to the said Elbridge G. Kilbourn and Benjamin Howard to join in the errors by the said John Mundorff and Mary his wife above assigned, came again into the Court of Appeals here the parties aforesaid, by their attorneys aforesaid; and the said Elbridge G. Kilbourn and Benjamin Howard by their attorney 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 John Mundorff and Mary his wife above for error assigned, and that the said Decree may be in all things affirmed, and so forth. But because the Court of Appeals here are not advised what Decree to give of and upon the premises, day therefore is given to the parties aforesaid, before the Court of Appeals here, of and upon the premises, for the Court now here, thereof are not advised, and so forth.

At which said first Monday in December being the sixth day of the said month, in the year of our Lord, one thousand, eight hundred and fifty two, came again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid; 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 June next; the same day is given to the said parties there, then to hear the Decree of the Court of Appeals here, of and upon the said premises, and so forth.

At which said first Monday in June being the sixth day of the said month, in the year of our Lord, one thousand, eight hundred and fifty three, 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 Decree 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 first Monday in December next, to hear the Decree of the Court of Appeals here, of and upon the premises, for that the court now here, as yet are not &c.

And now at this day, to wit, the said First Monday in December being the fifth day of the said month, in the year of our Lord, one thousand, eight hundred and fifty three, came again into the Court of Appeals here, the parties aforesaid, by their attorneys aforesaid, whereupon