Record aforesaid it appears by Decree aforesaid in the cause aforesaid given was given for the said Robert Henry and others against the said Thomas C. Stump and others when by the law of the land that Decree ought to have been given for said Thomas C. Stump and others against the said Robert Henry and others 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 Thomas C. Stump and others may be restored to all things which they have lost by occasion of the said Decree and that the said Robert Henry and others may reform to the errors aforesaid and so forth. And thereupon it is prayed by the Court of appeals here that the said Robert Henry and others join in the errors by the said Thomas C. Stump and others above assigned in the Record of proceedings aforesaid or Decree by the Court of Appeals against the sentence against them in default thereof and the said Robert Henry and others by their Attorneys aforesaid say there is no error in the Record of proceedings aforesaid nor in the giving 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 Thomas C. Stump and others above for error assigned and that the said Decree may in all things be affirmed and so forth. Whereupon 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 entered before the Court of Appeals here until first Monday in December next the same day is given to the said parties then to hear the Decree of the Court of Appeals thereof and upon the said premises and so forth, at which said 1st Monday in December being the second day of the said Month in the year of our Lord 1850 came again into Court of Appeals here the parties aforesaid by their Attorneys aforesaid but because the Court of Appeals have not yet advised what Decree to give of and upon the premises a day therefor is further given to the parties aforesaid with the consent of the said parties by their Attorneys. Whereupon this cause was regularly continued from Term to Term until the 1st Monday in December 1854. And now at this day to wit the said first Monday in December being the 4th day of the said Month in the year of our Lord 1854 came again into Court of Appeals here the parties aforesaid by their Attorney aforesaid. Whereupon the record and proceedings aforesaid and the Decree given in same aforesaid as to matters aforesaid by the said Thomas C. Stump and others above for error assigned being deliberately had further 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 Decree aforesaid.

Thereupon the Court of Appeals passed their Decree in the words following to wit.

Thomas C. Stump and others } Appeal from Hardin County sitting as a Court of Equity.

vs.

Robert Henry and others } Dec. Term 1854.

This cause standing ready for hearing all the proceedings were read and considered. It is therefore this 4th day of January A.D. 1855 by the Court of Appeals of Maryland and by authority thereof ordered adjudged and decreed that without affirming or reversing the decree heretofore passed in the cause by Harford County Court sitting as a Court of Equity that the said cause be sent to the Circuit Court for Hardin County sitting in Equity for further proceedings in conformity with the opinion pronounced by this Court. The costs to abide the final decree.

John B. Eccleston
Nat. C. Snook
J. Jameson Mason