in the record of proceedings aforesaid or in 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 rendered against him in default thereof; and the said William Tabler of L. by his attorney 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 plea aforesaid given, was given for the said John A. Castle against the said William Tabler of L. when by the law of the land that decree ought to have been given for the said William Tabler of L. against the said John A. Castle 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 William Tabler of L. may be restored to all things which he hath lost by occasion of the said Decree and that the said John A. Castle may rejoin to the errors aforesaid and so forth. And thereupon it is ordered by the Court of Appeals here that the said John A. Castle join in the errors by the said William Tabler of L. above assigned in the record of proceedings aforesaid or Decree by the Court of Appeals here will be rendered against him in default thereof. And the said John A. Castle by his Attorney aforesaid prays that a day may be given to him to join in the errors by the said William Tabler of L. above assigned in the record of proceedings aforesaid until the first Monday in December next. and to him this granted. the same day is also given to the said Wm. Tabler of L. then &c.

At which said first Monday in December being the seventh day of the said month in the year of our Lord one thousand eight hundred and fifty seven which said day was given to the said John A. Castle to join in the errors by the said William Tabler of L. above assigned come again into the Court of Appeals here, the parties aforesaid by their Attorneys aforesaid and the said John A. Castle by his Attorney aforesaid, says, there is no Error in the record of proceedings aforesaid, nor in the giving of the Decree aforesaid, and he 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 William Tabler of L. above for Error assigned & 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, until the first Monday in June next, to hear the Decree of the Court of Appeals here, of and upon the premises, for that the Court now here, thereof are not advised, and so forth.

And now at this day, to wit, the 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 eight 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 Decree given in same aforesaid, as the matters aforesaid, by the said William Tabler of L. 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 also in the giving of the Decree aforesaid.

Thereupon the Court of Appeals here praised their Decree in the words and of the tenor following, to wit;

William Tabler of L. vs John A. Castle

Court of Appeals of Maryland June Term 1858.

The appeal in this case standing ready for hearing was argued by Counsel for the respective parties and the proceedings have since been considered by the Court; It is thereupon this 19th day of June in the year 1858, by the Court of Appeals of Maryland and by the authority thereof adjudged ordered and decreed that the order of the Circuit Court for Frederick County sitting in Equity from which this appeal is taken be and the same is hereby reversed upon compliance by the appellant with the conditions prescribed and limited in the opinion of this Court filed in this case and hereto annexed, and the cause is hereby remanded to said Circuit Court for further proceedings in conformity with the views expressed in the aforesaid opinion of this Court. Each party to pay his own Costs in this Court.

Wm. G. Legrand
J. B. Eccleston
Jas. L. Bartol

Test.
William A. Spencer Clk