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 prepared their Decree in the words and of the tenor following to wit;

John S. Wright
vs
John Warren Thomas and others

In the Court of Appeals
June Term 1858.

This cause standing ready for hearing and being the proceedings were read and duly considered, and the Court being of opinion that the relief prayed ought to be granted and that it is not necessary John T. Gray mentioned in the proceedings should be a party, in as much as no relief is prayed against him it is thereupon this 2d day of November 1858 by the Court of Appeals and by the authority thereof ordered adjudged and decreed that the order appealed from in this case be and the same is hereby reversed with costs and the cause remanded so that the Circuit Court may pass a Decree in conformity to the direction herein contained.

Jno. L. Legrand
Wm. H. Tuck
Jas. L. Bartol

Test

William A. Spencer Clk Ct of A. Md.

State of Maryland Sct

At a Court of Appeals of the State of Maryland begun and held for the said State at the City of Annapolis on the first Monday of December in the year of our Lord one thousand eight hundred and fifty eight and in the year of the Independence of the United States of America the eighty third.

Present.

The Honorable John C. LeGrand Chief Judge
John B. Colestock, Wm. H. Tuck, Jas. L. Bartol } Associate Justices

Wm. A. Spencer Clerk

Among other were the following proceedings

Elijah Carey and Thomas H. Carey
vs
Thos. Dennis and Wife, Peter L. Davis and wife, Joseph Carey et al

Be it remembered That now here on the first Monday in June being the first day of the said term with year of our Lord one thousand eight hundred and fifty seven the Judges of the eight Judicial Circuit of Maryland in pursuance of the directions of the Act of Assembly in such case made and provided transmit to the Court of Appeals here the record of proceedings of a plea which was lately depending before them in the Circuit Court of Worcester County between Elijah Carey and Thos. H. Carey Complainants and Thos. Dennis and wife Peter L. Davis and wife Joseph Carey et al defendants and wherein the said Circuit Court gave Decree for the said Thomas Dennis and wife and others against the said Elijah Carey and Thomas H. Carey and from which said Decree the said Elijah Carey and Thomas H. Carey appealed to the Court of Appeals here the tenor of which said record of proceedings is in form following, to wit.

Maryland Worcester County Sc.

At a Circuit Court, Sitting in Equity for Worcester County one of the Counties of the Eighth Judicial Circuit of the State of Maryland, begun and held at Snow Hill on the third Monday of January (being the nineteenth day) of the same month in the year of our Lord one thousand Eight hundred and fifty seven.

Present

The Honorable Thomas A. Spence Judge
John Bishop Esquire Sheriff

John A. Purnell clerk

In the record of proceedings of the said Court among st others were the following, to wit.

Elijah Carey & Thomas H. Carey
vs
Thomas Dennis & Nancy his wife, Peter L. Davis & Mary his wife, Joseph Carey and Sophia Carey

Be it remembered that heretofore to wit, on the seventeenth day of November in the year of our Lord one thousand eight hundred & fifty four a certain Thomas Carey