days is also given to the said Jeremiah Wampler then & there
at which 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 eight which said days are given to the said John Wolf
inger and Abraham Stretz to join in the error by the said Jerem
iah Wampler above assigned, are against the Court of Appeals
then the parties aforesaid by their attorneys aforesaid; and the said
John Wolfinger and Abraham Stretz 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 and hear of the
record of proceedings aforesaid as of the matters aforesaid by the
said Jeremiah Wampler above for error assigned and that the said
Decree may be in all things affirmed and so forth.

Whereupon as well the record and proceedings aforesaid and the
Decree given in form aforesaid as the matters aforesaid by the
said Jeremiah Wampler above for error assigned being seen
by the Court of Appeals here fully understood and mature de
liberation thereupon had; for that it appears to the Court of
Appeals here that there is error in the record of proceedings afore
said and also in the giving of the Decree aforesaid.

Thereupon the Court of Appeals here passed their Decree which
is in the words and of the tenor following, to wit:

Jeremiah Wampler
vs
John Wolfinger and
Abraham Stretz

Court of Appeals of Maryland
Decr Term 1858
No 137.

The appeal in this cause standing
ready for hearing was argued by Coun
sel for the respective parties and the proceedings have since
been considered by the Court. It is thereupon this 10th day
of May 1859 by the Court of Appeals of Maryland and by
the authority thereof adjudged, ordered and decreed that
the decree of the Circuit Court for Washington County sitting
in Equity from which this appeal is taken be and the same
is hereby reversed and the case is hereby remanded to said
Circuit Court for further proceedings in conformity with the
opinion of this Court. But it is further adjudged, ordered by
the authority aforesaid that this reversal of this Decree &
nothing herein contained shall be held or construed to affect
or in any way to impair any right which any purchaser
may have acquired to the property or any part thereof
decreed to be sold in this case under any sale which may
have been made of such property under or by virtue of
said decree so as aforesaid appealed from; but any such
right shall be as good and valid as the same would have been
in case the said Decree had been in all things affirmed by
this Court or as it would have been if the said Decree had not
been appealed from. The said Circuit Court for Washington

County hereover, will be fully authorized to pass all & every
such order or decree in the premises as may be necessary to carry
into effect the principles set forth in the opinion of this Court
delivered in this case upon passing this Decree. The costs are
to await the final result.

Geo C Legrand
Jas B Eckstein
Jas L Bartol

Test:
William A. Spencer, clk