Cases in Court Cir upon said praeyer the following agreement & Wit.
We agree that the Transcript of the Record shall be sent up to be
used indifferently in all the within Appeals
Thos S Alexander for Plaintiff and Geo Fisher Defendant
And it is thereupon Ordered by the Court here that a Transcript of the
Record of Proceedings in the Cases aforesaid Without Things thereto relating
be transmitted to the Court of Appeals and the same is transmitted
accordingly.
Test J H Carman Clk
State of Maryland Baltimore County Sct
I hereby certify that the aforegoing is a true Transcript taken from
the Record of Proceedings of the Circuit Court for Baltimore County in the
cause therein mentioned.
In testimony Whereof I have hereto set my hand and affix the
(Seal) Seal of Circuit Court for Baltimore County this 3rd
day of June A. D. 1859.
Jas H Carman Clk.

And now come into Court of Appeals here the said Andrew A
White and Frances W Elder by J P Scott Esquire their Attorney
as the said James Malcolm and Wm H Brown Trustees by
Thos S Alexander Esq their Attorney and thereupon on motion
of the said James Malcolm and William H Brown Trustees
by their Attorney aforesaid it is moved by the Court here that the said
Andrew A White and Frances W Elder assign the errors in the
Record of proceedings aforesaid or in the giving the Decree aforesaid
as aforesaid ought to be for the Court of Appeals here to reverse
the errors supposed to be therein a Decree by the Court of Appeals
here will be entered against them in default thereof and the said
Andrew A White and Frances W Elder by their Attorney aforesaid
say that in the Record of Proceedings aforesaid and also in the giving
of Decree aforesaid there is manifest error this they are ready
by the Record aforesaid to aver that the Decree aforesaid

in the cause aforesaid given was given for the said James Malcolm and
W H Brown Trustee against the said Andrew A White and Frances
W Elder whereby the Pain of the said that Decree ought to have
been given for the said Andrew A White and Thomas W Elder and
the said James Malcolm and William H Brown Trustees 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 Andrew A Williams Frances W Elder may be
restored to all things which they have lost by occasion of the said
Decree and that the said James Malcolm and Wm H Brown
Trustees may rejoin to the Errors aforesaid and so forth and thereupon
it is prayed by the Court of Appeals here that the said James Malcolm
and Wm H Brown Trustee join in the errors by the said Andrew
A White and Frances W Elder above assigned in the Record of
proceedings aforesaid or Decree by the Court of Appeals here and to
render against them in default thereof and the said James
Malcolm and William H Brown Trustees by their Attorney
aforesaid say there is 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
Andrew A White and Frances W Elder above for error assigned
and that the said Decree may in all things be affirmed and so forth
thereupon further process of and upon the premises between the parties
aforesaid is by virtue of an Act of Assembly in such cases made and
provided continued here in the Court of Appeals here until the first
Monday in December 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 premises and so forth. And now at this day to wit the said
first Monday in December being the 5th day of the said Month in the
year of our Lord 1859 come again into Court of Appeals here the