June Term 1864

In the Court of Appeals of this State, viz:
Peter Williard & Wm. S. Hesperger
Exors of Abraham Williard
vs
Hanson Ramsburg, Peter Young (of J) & others

No 2879 Equity
In the Circuit Court for
Frederick County,
Sitting as a Court of
Equity.

In this case, the Complainants by Jos. M. Palmer their Solicitor, on this 30th day of May 1862, pray an appeal from the order and decree of the Court made in this case to the Court of Appeals of this State. The Clerk will please file the prayer of Appeal in this case and transmit a copy of the record of proceedings of the case to the Court of Appeals.

Jos. M. Palmer

And the said prayer of Appeal being granted; Thereupon it was ordered by the Court here, that the Record and proceedings aforesaid, with all things thereunto relating, be transmitted, to the said Court of Appeals of the said State of Maryland, and the same are transmitted to the said Court accordingly

Test

B. G. Tittrugh Clk.

Seal Place

Complainants Costs
$51.23 2/3

Defendants Costs
$10.50

Cost of Record $27.91

Maryland, Frederick County, Set.

I hereby certify, that the foregoing is truly taken from the Record of proceedings of the Circuit Court for Frederick County, sitting as a Court of Equity in No 2879 on the Equity Docket of said Court.

In testimony whereof, I hereunto subscribe my name and affix the seal of the said Circuit Court for Frederick County, sitting as a Court of Equity, this 5th day of Jany. A. D. 1862.

Seal Place

B. G. Tittrugh, Clerk of the Circuit Court for Frederick Co.

And now come into the Court of Appeals here, as well the said Peter Williard and William S. Hesperger, Exors. of Abraham Williard by Jos. M. Palmer Esquire their Attorney as the said Hanson Ramsburg and others by Wm. J. Ross and Wm. P. Maulsby Esquires their Attorneys and thereupon, on motion of the said Hanson Ramsburg & others by their Attorneys aforesaid, it is ruled by the

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Court here, that the said Peter Williard and Wm. S. Hesperger Exors of Abraham Williard assign the errors in the Record of Proceedings aforesaid, in the 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 entered against them in default thereof: and the said Peter Williard and Wm. S. Hesperger Exors of Abraham Williard by their Attorney aforesaid say, 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 cause aforesaid given was given for the said Hanson Ramsburg & others against the said Peter Williard & Wm. S. Hesperger Exors of Abraham Williard when, by the law of the land, that decree ought to have been given for the said Peter Williard and William S. Hesperger, Exors of Abraham Williard against the said Hanson Ramsburg & 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 & held entirely as void, and that they the said Peter Williard and William S. Hesperger Exors of Abraham Williard may be restored to all things which they have lost by occasion of the said decree, and that the said Hanson Ramsburg & others, may rejoin to the errors aforesaid & so forth. And thereupon it is ruled by the Court of Appeals here, that the said Hanson Ramsburg & others join in the errors by the said Peter Williard and Wm. S. Hesperger Exrs. of Abraham Williard above assigned in the Record & Proceedings aforesaid, or decree by the Court of Appeals here, will be rendered against them in default thereof: and the said Hanson Ramsburg & others 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 as well of the Record of Proceedings aforesaid, as of the matters aforesaid by the said Peter Williard & Wm. S. Hesperger Exrs of Abraham Williard above for error assigned, and that the said decree may in all things be affirmed & 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 before the Court of Appeals here, until the first Monday in December next; the same day is given to the said parties here, then to hear the decree of the Court of Appeals here, of and upon the said premises & so forth.

At which said first Monday in December, being the first day of the said month, in the year of our Lord, one thousand eight hundred and sixty two, come again into the Court of Appeals here, the parties aforesaid by their Attorneys aforesaid: